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ENGLISH  
HISTORY  
FROM  
CONTEMPORARY WRITERS

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Simon de Montfort  
and his Cause

1251-1266

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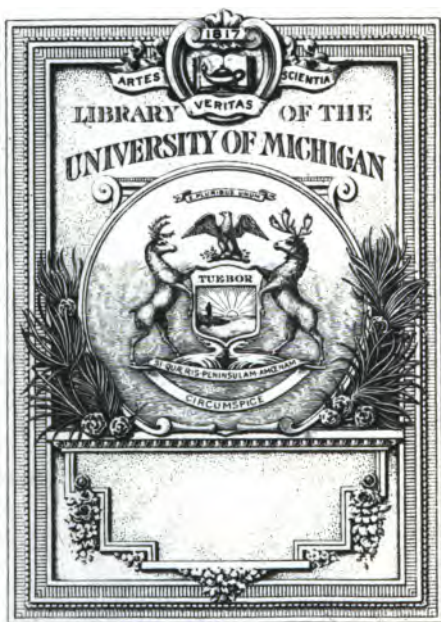


Edited by

REV. W. H. HUTTON

M. A.

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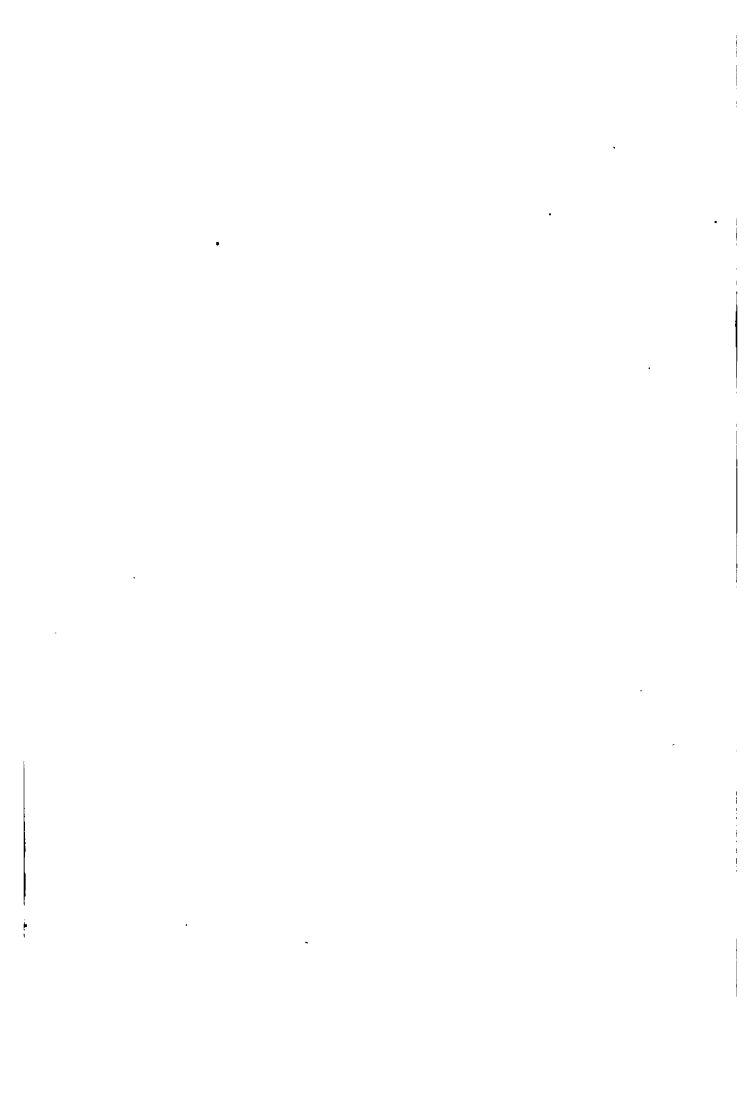
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ENGLISH HISTORY  
BY CONTEMPORARY WRITERS

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**Simon de Montfort & his Cause**

## ENGLISH HISTORY BY CONTEMPORARY WRITERS.

THE series, of which the present volume is one, aims at setting forth the facts of our National History, political and social, in a way not yet systematically tried in this country, but somewhat like that which Messrs. Hachette have successfully wrought out in France under the editorship of MM. Zeller, Darsy, Luchaire, etc. It is planned not only for educational use but for the general reader, and especially for all those to whom the original contemporary authorities are for various reasons difficult of access.

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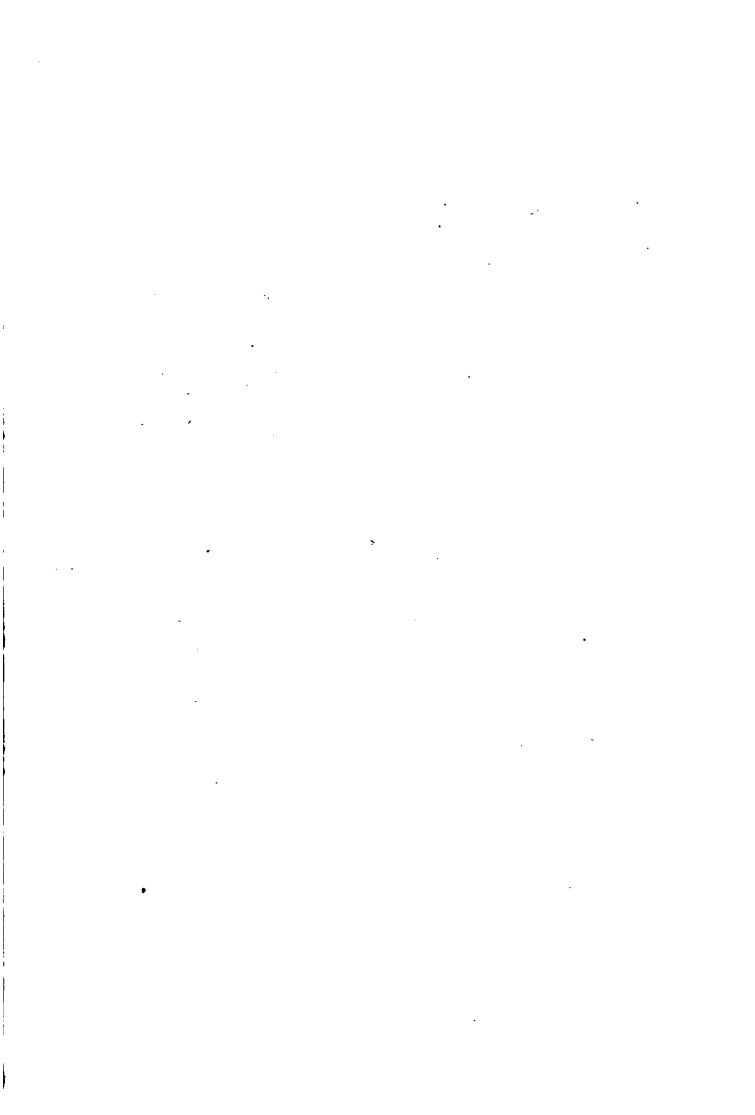
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F. YORK POWELL,

*Editor of the Series.*

*Ch. Ch., Oxford, 1887.*







Uman ualcomedohm uen  
Remisti me dounue & uen.

De obitu archiepiscopi  
parisiensis

De obitu  
archiepiscopi  
parisiensis

MATTHEW PARIS ON HIS DEATH-BED.  
From MS. Brit. Mus. Reg. 14, C.F. f. 2186.

ENGLISH HISTORY BY CONTEMPORARY  
WRITERS.

**Simon de Montfort & his Cause**

1251-1266

*Extracts from the writings of Robert of Gloucester,  
Matthew Paris, William Rishanger, Thomas of  
Wykes, etc., etc.*

SELECTED AND ARRANGED BY

The Rev. W. H. HUTTON, B.D.

*Fellow and Tutor of S. John's College, Oxford; Examining Chaplain  
to the Bishop of Rochester.*

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**THIRD EDITION**

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LONDON  
DAVID NUTT, 57-59, LONG ACRE  
1907

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## PREFACE.

THIS volume is a continuation of an earlier one in the same series, entitled "The Misrule of Henry III." I here take up the tale of opposition to royal misgovernment which was there begun, and carry it to its conclusion in the revision of the Constitution by the Ban of Kenilworth. That document marks the close of the struggle between Crown and Barons, in which, though the latter were in the end vanquished, the principles of free and national government prevailed.

My aim has not been simply to select the more brilliant passages from the chroniclers to put before the English reader; I have endeavoured rather to show how the men of the time lived and acted and thought. Thus it has taken two of these little volumes to give the history of thirty years; and, if there are some extracts in this book which seem unimportant, it should be remembered that we desire, in this series, not to consider events from the vantage ground of the 19th century but rather to see them as men saw six hundred years ago.

111165-5-90

We may not be surprised if the character of Earl Simon is still an unsolved riddle for us. He appears as "zealous for the law," a defender of Church and people, watchful, temperate, austere; yet a persecutor of Jews, "not free from the guilt of robbery and murder." He bears, indeed, a striking resemblance to his great progenitor, the relentless champion of the Catholic Faith against the Albigensian heretics. His constitutional expedients seem to us clumsy and complicated, and his aims after the battle of Lewes far from clear; so that we may feel that before his death he had accomplished all that it was in him to do for the welfare of his adopted country. His fame survives as a popular hero, as one whom the people reverence canonised, and the people's minstrels sang.

I am again indebted to Mr. C. L. Kingsford for much that concerns Matthew Paris. My thanks are also due to Mr. G. G. A. Murray, Scholar of S. John's College, who has most kindly given me the graceful version of the Latin hymn on "Earl Simon the righteous," which stands as an "Envoy" to this volume.

W. H. HUTTON.

*S. John's College, Oxford,  
Epiphany, 1888.*

#### NOTE TO THIRD EDITION.

I revised this little book for a second edition and have made one or two changes for the third. Mr. Kingsford's edition of the "Song of Lewes," Mr. F. S. Stevenson's "Life of Grosseteste," and Mr. H. W. C. Davis's "History of England under the Norman and Angevin Kings," are books of the first importance, which all who study the subject should consult.

*March, 1907.*

## Simon de Montfort & his Cause

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1251, Jan. 6.—Return of Simon de Montfort from Gascony.

*M. Paris*, vol. v., 208-9.

On the day of the Epiphany Simon earl of Leicester suddenly returned from Gascony\* in inglorious haste, accompanied by only three squires, and with his horses worn out with hunger and work. On arriving in London, where he found the king, he urgently demanded effectual assistance from him both in men and money, for the purpose of crushing the insolence of the Gascons who were in rebellion against him. For he declared that without the king's assistance he could not continue so costly a war, even though he should exhaust the revenues of his earldom of Leicester; for which purpose he thus urged and encouraged the king: "My lord king, thou must remember that when thou wert last in Gascony thou didst fly in confidence for assistance to

\* Simon had done much to restore order, capturing Gaston de Bearn, the leader of the rebellion. Henry, however, released Gaston, and allowed himself to be much influenced by him. The earl returned to defend his cause. Bémont, *Simon de Montfort*, p. 36, Pauli, pp. 54-60.

those whom thou hadst reckoned thy faithful subjects, yet they did not open the bosom of affection to thee nor stretch out the hand of assistance as they ought. Nor when thou wert fleeing from the pursuit of the king of the French, nor when thy queen was in her pregnancy and lying sick at La Réole,\* and in child-bed at Bordeaux, did they have any mercy on thee, but extorted thy treasure and allowed thee to lose thy land and honour." On hearing this the king, touched with pity for the earl's trouble, replied by way of consolation: "By God's head, thou speakest truth, sir earl; and since thou servest me so doughtily I will not deny thee effectual aid. But loud cries of complaint reach me that thou hast improperly thrown into prison or even put to death men who came to thee in peace, or whom thou hadst thyself summoned." This the earl positively denied, answering: "My lord, their treachery which thou knowest and hast experienced makes them unworthy of belief."†

**1251, Feb.—Grosseteste's visitation.**

*M. Paris*, vol. v., pp. 226-7.

At this time the bishop of Lincoln made a visitation of the religious houses in the diocese. If one were to relate all the acts of tyranny he committed therein, he would be considered not only severe, but austere and inhuman. For amongst other things

\* On the Garonne above Bordeaux.

† Henry renewed his authority and granted him 3,000 marks, and the earl adding money of his own hired some Brabançons and returned to Gascony. Vol. v. pp. 209-210. Bémont, p. 37.

when he came to Ramsey, attended by his seculars, he went round the whole place, examined in person the monks' beds in the dormitory, scrutinized everything, and if he found anything fastened destroyed it; he broke open their coffers like a burglar and if he found any cups ornamented with circles or pedestals trod them to pieces, though, if he had acted more wisely, he would have demanded them entire for the poor. He also heaped the terrible curses of Moses on the heads of those who transgressed his statutes, and the Mosaic blessings on those who should observe the same. In the following Lent, however, he was suspended from his episcopal office for refusing to admit an Italian, who was ignorant of the English tongue, to a certain rich benefice in his diocese.\* And all this he is believed to have done to restrain from sin those who were subject to him and for whose souls he has to answer.

**1251. — A letter from the pope which shows the slavery of the church.**

*M. Paris*, vol. v., 232-33.

Our lord the pope sent a letter to the abbat of S. Alban's to the following effect :—

Innocent, the bishop of bishops, &c., to his well-beloved sons the abbat and convent of S. Alban's in the diocese of Lincoln, greeting and apostolic benediction. Whereas our well-beloved son John de Camezana, \* our nephew and chaplain, holds the

\* This act of oppression forms an item in Grosseteste's complaint against the Roman court; from which we learn that the abbat had never seen John de Camezana, and that Wengrave itself was worth more than 40 marks a year. Vol. v., p. 405.



church of Wengrave, the right of patronage wherein, as we understand, belongs to you, with fatherly affection we beg you in your wisdom to exchange the said church for the first other church in your patronage that shall fall vacant and which shall be regarded as acceptable by the said chaplain or his proctor, none the less reserving Wengrave for our own gift; and this, notwithstanding any inhibition or reservation, or even that indulgence which is said to have been granted to the English, to wit that the benefices of Italian clerks who cede their benefices or who are deceased shall not be immediately bestowed on any clerk of Italy. Given at Lyons, Dec. 12th.

This letter we thought should be inserted in this book that those who read may know with how many burdens and wrongs we unhappy English are harassed by the Roman court. For by weighing the purport of this letter they can perceive the manifold contempt, injury, and oppression. But that the threatening words of the apostle may be fulfilled, "Unless a falling away shall first come, the son of iniquity shall not be revealed";\* see the cause, the reason, why men's hearts if not their bodies withdraw from our father the pope, who is harsh with the austerity of a step-father, and from our mother the Roman church who vents her fury with the persecution of a step-mother.

\* 2 Thess. ii. 3.

1251, Dec. 26.—**Marriage of the king of Scotland.**

*M. Paris*, vol. v., p. 267.

On S. Stephen's Day the king of Scotland married the daughter of our lord the king of England.\* And because of the dense unruly crowds, who rushed together to witness the ceremonial of such a marriage, the ceremony was performed secretly in the early morning before the expected time. There were assembled there so many various peoples, such a number of English, French, and Scottish nobles, such hosts of knights decked in elegant robes and glorying in their varied silk attire, that a full description of that wanton and worldly vanity would excite wonder and weariness in the ears of my hearers. Above a thousand knights, dressed in silk *cointises* as we commonly call them, appeared at the wedding on the part of the king of England; and the day after, throwing all these aside, they appeared at court in new dresses. On the part of the king of Scotland over sixty knights, with many of equal rank, presented themselves to the general gaze in becoming attire.

The king of Scotland did homage to the king of the English, † for the holding which he has of our lord the king of the English, to wit of the kingdom

\* The wedding took place at York, where Henry spent his Christmas. The bride was his daughter Margaret, born Oct. 5, 1240, the bridegroom Alexander III., who had succeeded his father in 1249.

† The question of the Scotch homage, too lengthy to be discussed here, may be studied in Freeman's *Historical Essays*, First Series.

of England, namely, Lothian and other lands. But when the king of Scotland was summoned to do homage on account of the kingdom of Scotland, and to give his fealty and allegiance to his lord



**COSTUMES OF THE 13TH CENTURY.** Performance of homage. From a Miniature in the Bibliothèque Nationale.

the king of the English, as his predecessors had done to the kings of the English, which is clearly written in many places in the Chronicles, the king of Scotland replied that he had come thither in peace and for the honour of the king of England and by his command, to wit, that he might be allied with him through the bond of marriage, and not to answer on so difficult a question. For he had not had full deliberation with his nobles on the matter, nor fitting advice as so difficult an affair required. Then our lord the king, not wishing any

trouble to cloud so bright a feast, or to annoy so young a king and yet younger husband, all the more since he had come on being summoned, with the greatest joy, to wed his daughter, passed it over in silence and dissembled his feelings.

**1252.—Refusal of royal alms by the Franciscans.**

*M. Paris*, vol. v., p. 275.

The king sent as his alms to the Minorite Friars a waggon laden with grey woollen cloths suitable for their clothing; but the friars, hearing that the king had extorted them from the merchants, like other things which he takes or rather seizes, and that he had retained the price when a tallage only had been made, in abhorrence of such a present returned all the bales on the waggon, saying that it was not lawful to give alms of the plunder of the poor, nor would they accept so abominable a gift.

**1252.—Accusation of Simon de Montfort by the Gascons. \***

*M. Paris*, vol. v., pp. 276.

This year whilst Simon earl of Leicester was making a short stay in England, the Gascons kicking against the agreement they had made, stirred up war against the king, and made a wanton attack on those whom the earl had appointed in his place to safely guard his castles and possessions. They sent word to the king that the said earl was an infamous traitor, and

\* Cf. Pauli's *Life of Montfort*, pp. 64-70. Bémont, pp. 41-52.

was heaping up vast wealth which he extorted from nobles, citizens, and people, sparing none, asserting that the king, who was in need and going on a pilgrimage, would receive it all; yet he kept all for himself. They further added a serious accusation that he had peacefully summoned to his council nobles of Gascony who had been most faithful subjects to the king; and that after having summoned them, like Sinon not Simon, he treacherously detained, imprisoned, and starved them to death. By such whisperings they brought the earl into great suspicion with the king, who, in his incertitude, suddenly and secretly despatched his clerk Henry de Wengham, \* a clever and prudent man, to Gascony, to make a careful inquiry on the above matters in order that he might have sure information; just as once before he sent Geoffrey de Langley to inquire into the conduct of Robert Passelewe, who was under suspicion, and pry into what was concealed, and to solve his perplexity by seeking a knot in the smooth cane, † and an angle in the circle; each inspector, however, failed in his inquiry. The earl, on hearing of this, was very angry for two reasons, and declared his innocence before the king, saying, "How is this, my lord king, that thou inclinest thy ear and heart to the messages of traitors, and puttest more trust in those who have often been

\* Wengham had been seneschal at Bordeaux; with him was joined Rocelin de Fos, master of the Templars in England and a Gascon by birth.

† "Nodum quærens in scirpo." Ter. *And.*, v., 4, 38.

convicted of treachery, than in me, thy faithful subject, and that thou inquirest into my conduct." The king, who had become calmer, replied, "If all is clear, what harm will an inquiry do thee, nay, it will rather clear thy fame." At this the earl was humbled and, being ready to return to Gascony, the king granted him permission, and on his request supplied him with a large sum of money. So the earl crossed over in haste, with his feelings not quite calmed, for he proposed to take condign vengeance for the wrong done him in such serious accusations. Assembling a large force of French mercenaries, both knights and their followers, and calling on the king of Navarre, \* the count of Bigorre, † and many others to aid in the extermination of his opponents, he strengthened his own party to such a degree, and so tamed the pride of the Gascons, that had not England been of service to them for the sale of their wines, they would all have withdrawn from their fealty to the king of the English, and sought another lord.

Shortly before Whitsuntide ‡ in this year there arrived from Gascony the archbishop of Bordeaux,||

\* Thibault I., count of Champagne, succeeded Sancho VII., his mother's brother, in 1234.

† Eskivat de Chabannais, grandson of Guy, Simon's brother. See *Table II.*

‡ Adam Marsh, writing to Grosseteste, says, Circa festum ascensionis Domini (May 9th). *Monum. Francisc.* 123.

|| Gerard de Malemort, a man of very doubtful loyalty. This complaint was the only result of Wengham's inquiry. The report of Fos and Wengham was dated March 6th, 1252.

and some nobles of La Réole and other cities of Gascony; they came by water as far as London, where they found the king, before whom they laid a lamentable complaint of the tyranny of the earl of Leicester, who had been sent by him to be their warden, and whom they accused of the most iniquitous treachery. The king did not at once put confidence in them, for when he was in Gascony he had found that they were traitors, so he sent Nicholas de Molis,\* a knight, and Drogo de Barentin † to make careful inquiry as to the guilt or innocence of the Gascons, and whether Henry de Wengham was in agreement with them or not, and whether their deeds bore out their clamour, and that all these points should be fully and certainly explained through those who speak the truth. This, however, displeased earl Simon, and no wonder.

On their return the commissioners intimated to the king that the earl had treated some Gascons with great inhumanity, but, as it is believed, according to their deserts, although through the earl's absence this was not proved. On hearing this the archbishop of Bordeaux and the Gascons who were then in the king's presence cried out, "The proof of the truth shall be surely declared, and after proof we ask for judgment;" then with an oath they protested that they would never serve or obey the earl their exterminator, nay, rather than that, they would find themselves another lord than the king of England. Simon,

\* Who was appointed seneschal of Gascony in 1243.

† Or de Valentin, a Gascon, and also an ex-seneschal.

being thus disgraced by the serious accusations made in the king's court, and his disgrace gaining strength from the increased number of witnesses, returned with all haste to England ; \* on his arrival being known a day was appointed for him to meet his adversaries. The earl in his difficulty procured the presence of earl Richard, who was well pleased at the trouble of the Gascons, of the earl of Gloucester, who favoured earl Simon in this matter, of the earl of Hereford, and of many other nobles and magnates, who would never allow the earl to run any danger for this cause. For there was much fear that the king in a hasty impulse, as he was known to be so favourable to foreigners, would order the earl, a man of noble birth and his natural subject, to be seized and detained a prisoner like a convicted traitor, which however could in no wise be allowed. When the earl had sufficiently proved his innocence, and the opposite side had been refuted and put to silence, the king still spoke against him ; but when he perceived that earl Richard and all the others favoured earl Simon, seeing that they were guided by discretion, he would not, though provoked to do so, put the royal severity in force against him. Still, by shuffling speeches, either side provoked the other to angry quarrelling. They rashly kept recalling things long past ; as, for instance, how by his prowess he had rescued the king from the snares of the French in Saintonge, and how when he was first going to Gascony the

\* Simon arrived about the same time as his accusers, having been summoned by a royal writ dated March 23rd.



king had softly advised him to crush the traitors, and how he had given him his charter granting the wardenship of the country for six years, and how that promise had never been fulfilled. He continued, "My lord king, thy words should be held sure and certain. Keep thy ageement with me ; either as thou hast promised me, keep to the tenor of thy charter, or restore me the money I have expended in thy service ; for it is well-known that I have irretrievably impoverished my earldom for the sake of thy honour." The king hastily and thoughtlessly replied, "Be sure that I shall not keep any agreement with regard to any promise to thee, thou unworthy traitor and supplanter. For it is lawful to withdraw from an agreement with one who breaks it, and to deal without shame with the openly malicious." At this the earl was very wrath, and rising openly declared that the king was a manifest liar, and that were it no. for the shelter of his royal name and dignity, it would have been an evil hour in which he made such a speech. The king almost beside himself with rage, would have at once ordered his arrest, had he not felt certain that the magnates would never allow it. The earl continued, "Who could believe thou art a Christian ? hast thou ever confessed ?" "Yea," said the king. "What avails confession without repentance and atonement ?" replied the earl, as though he would say, "Even if thou hast ever confessed, thou hast never been contrite nor made proper atonement." The king, blazing into a yet greater rage, retorted : "I never repented of ought so much as I

now repent me that I ever allowed thee to enter England, or to hold any land or honour in that country where thou hast fattened so as to kick against me." \* Their friends then interrupted the dispute and so they were divided. [M. Paris then gives a digression on the past history of Gascony, and an account of the articles of accusation against earl Simon. They were:—1. That he devastated Gascony with the ferocity of an enemy. 2. That he harassed men whom earl Richard and other seneschals had treated as friends. 3. That he had sent faithful nobles prisoners to France where some of them had died. 4. That he had been guilty of extortion. 5. That he had imprisoned many whom he had invited to a peaceful interview. And 6. Had basely obtained possession of castles by treachery. Cf. vol. v., pp. 294-95.]

Earl Simon replied to the charges without hesitation, that little credit was to be placed in his accusers, because when the king in his greatest need firmly believed that he would find them his faithful subjects and friends, it was notorious that he found them bloodthirsty enemies and impostors: "You are acting a part, and your evidence or judgment is not to be relied on. More, it is very possible that there are some in your land, to whom earl Richard and others of your wardens granted peace and life and who for the time dissembled and began to be sons of peace, but when the opportunity occurred revolted, whereon having become sons of treachery and perdition they deservedly lost both life and peace.

\* Compare Adam Marsh's account in the *Monumenta Franciscana*, pp. 123-127.

Why should I not so act? Verily, God acts thus, and no man is juster than He; those who persevere in justice He crowns, and those that return to their evil deeds He punishes. Thus there was no wrong done herein to your wardens, my predecessors, or to the king himself. In maintenance of the truth of this, I am ready at the proper time to produce more and more trustworthy witnesses than you. But do we need witnesses for this? My lord the king, if it is his pleasure to confess the truth, discovered your deceit, and saw through your cavilling. On the articles brought against me, the truth will be declared not by you but by more certain witnesses. For we must not put faith in the faithless."

Then earl Richard and the other nobles who had experience of Gascon cunning in Gascony, approved of earl Simon's speech, and gave no commendation of Gascon conduct.

**1252.—Simon de Montfort intrusts his son to Grosseteste.**

Letter of Adam of Marsh to Grosseteste. *Monumenta Franciscana*. Rolls Series, p. 110.

I return to your lordship the brief essay which you wrote concerning the rule of a kingdom and on tyranny, just as you sent it, sealed with the seal of the earl of Leicester. The earl, if he should have to return soon to Gascony, having thought over the matter with the countess and with me, proposes to send back his eldest son Henry to you, that while he is of tender years, under your holiness's guardian-

ship, just as hitherto, by God's grace, he should profit some time longer, as far as possible in literary study and moral discipline. But if the earl should stay in England, according to your salutary counsel, he proposes to dispose otherwise of the boy. . . . The earl of Leicester has spoken to me of that most salutary design of yours for liberating souls with which you have been divinely inspired; he praises, extols, and embraces it beyond what most men would have conceived, being prepared, as I observe, to take part in the work, himself and his associates, if such can be found. But, as he is very anxious for your bodily health, he asserts that he does not see how you can attempt to grapple with such difficulties and dangers in your own person.

#### **Simon's service to Church and State.**

Adam of Marsh to Simon de Montfort. *Monumenta Franciscana*. p. 264.

O most kindly earl, what purity, what glory, what holiness will you receive for the divine recompense in the kingdom of God for your unwearied labours with such happy solicitude by fit governance to purge, enlighten, and sanctify the church of God. For what can be thought so pleasing to God the Son as continual watching for the safety of souls for which He amid so great agonies was willing to undergo the precious blood-shedding, the yoke of the saving Cross? What does it profit to guard the peace of your own fellow-citizens and not guard the peace of your own household? Better is a patient man than a strong

man, and he who can rule his own temper than he who storms a city. I doubt not that your wisdom will understand what I mean by this saying.



SEAL OF SIMON DE MONTFORT. From the original in the British Museum 1252, June.—**Simon de Montfort returns to Gascony.**  
*M. Paris*, vol. v., pp. 313-315.

At this time\* the king of the English in imitation of David who sent Uriah amongst the perils of war, in order that he who had been the disturber of peace might seem to be its re-establisher, said to Simon, earl of Leicester, "Return to Gascony, that thou,

\* The day on which Simon embarked for Bordeaux seems to have been June 16.

who art so fond and such a fomenter of wars, mayst there find enough of them, and bring back with thee therefrom thy merited reward, as did thy father." With which cutting speech the king gained the thanks and favour of the Gascons who were present. The earl, undaunted, at once replied cheerfully: "And I will go there willingly. Nor as I believe shall I return until, ungrateful though thou art, I make these rebels subject to thee, and thine enemies thy footstool beneath thy feet." Therewith the earl withdrew and betook himself to the parts of France with which he was well acquainted, and there by the aid of his friends and kinsmen he gathered together a very strong and numerous force of mercenaries, promising them a worthy reward from the booty they were to win; so, more greedy than bloodsuckers, they followed the steps of the earl, who was burning with eagerness to take vengeance for the defamation of his character. The king, meantime, in dissimulation, or not wishing to remember, that he had twice bestowed Gascony by charter on his brother earl Richard, \* now conceived the design of bestowing it on his eldest son Edward, chiefly at the secret instigation of the queen. On learning this, earl

\* Gascony was first granted to earl Richard 1225, and again confirmed some years later; in 1243, when in Gascony, Henry tried to deprive Richard in order to confer it on Edward, but Richard would not resign, and when the king contemplated using force the Gascons would not support him. This seems to have been the reason for Richard's leaving Gascony in 1243, when he was nearly wrecked on his voyage home. Vol. v., pp. 291-2.

Richard, in great wrath, withdrew himself both in mind and body from the court, heartily detesting its waxen pliability.

The king by a royal warrant at once ordered all the Gascons who were still in London, that is to say, the archbishop of Bordeaux and his companions, to assemble, and then declared and publicly testified and announced that he had bestowed Gascony on his eldest son Edward; asserting that his brother, earl Richard, did not care for the possession of Gascony, nor, indeed, ever wished to see it again. He had had enough of trouble from storms by sea, and Gascony emptied his purse often enough. This was very acceptable to the Gascons, and they at once did homage and swore fealty to Edward, who made them some noble presents of gold, silver, necklaces, belts, and silk clothes, and promised them yet greater gifts. The king, however, retained for himself the chief sovereignty, namely, their allegiance. They then, in great exultation, partook of a banquet, at which they did not spare to threaten and boast, that earl Simon, who had trusted that he should draw Jordan into his mouth,\* would either be cut to pieces or driven an exile from his country. Then the Gascons took ship and hastened under full sail to return to their own country. But after their landing, before they had well recovered from the fatigue of their sea voyage or could make known what had taken place, they found earl Simon

\* Job xl. 23, where it is said of Behemoth.

strengthened against them by a large force. [The Gascons collected a large force and at once commenced hostilities. An ambuscade laid by earl Simon was detected and defeated, and its leader captured by the Gascons.]

The earl, who was not far off, eagerly expecting to meet his enemies at the sword's point, and hoping, as had been secretly arranged, that the troops which he had placed in ambuscade would fall on the enemy from the opposite side, was looking out for some signs of the commencement of the battle, when a fugitive mounted on a swift horse, wounded, torn, and bleeding, came up to tell his lord of what had happened; gasping for breath he told his tale and added that the brave knight, their leader, for whom the earl had a great affection, had been taken prisoner. On this the earl, like one roused from a heavy slumber, and in amazement, said: "We tarry too long. Are the enemy far from us?" "Nay, they are close at hand, and are pressing on to meet thee with all speed in battle. They are rejoicing and in high spirits because the fight went well with them, and we were routed." He had scarce finished these words when the earl, eager to rescue the knight above mentioned, hardly waiting for his own troops, but, taking the messenger as a guide, flew off swifter than the whirlwind, and spared not his horse's flanks. The moment he came up with the enemy, his lightning sword drank the blood of many of them; by his prowess he freed the prisoners and cut and broke their chains, and they, the more eager through their rescue, rushed



with fury on the foe. There was a bloody and doubtful struggle; the Gascons, trusting in their numbers, rush with one accord on the earl, whom they long above all to make prisoner or slay; so the weight of the combat fell upon him. And when in a dense mass they threw themselves fiercely on him, he was thrown from his horse and in great danger, until the knight whom he had lately rescued perceived him and said: "Doughty earl, it is just that I should deliver my deliverer," and with a rapid charge pierced the dense line of the enemy and raised the earl to his horse, and some of those who opposed him he mortally wounded or struck to the ground to be trampled under foot. After the battle had lasted nearly half the day the Gascons were routed, vanquished, and delivered to chains.

**1252.—Adam Marsh consoles Simon amid treachery and misrepresentation.**

*Monumenta Franciscana*, pp. 266-8.

If you have received the answer of broken friendship and feigned affection, what else are you now suffering than you before expected? The clear circumspection of your wisdom will remember in how many conferences, after repeated and careful examination, we drummed into each other's ears the execrable shamelessness of seductive cunning, such as we now see; although, considering the trustworthiness of courageous fidelity, your wisdom did not think it proper to decline the danger of a truly grand exploit for the imminent suspicion merely

of some stupendous dishonesty. What then? The forethought of danger certainly softens the presence of affliction; according to the saying of the divine Gregory altogether to be embraced, wherein it is declared, "The blows that are foreseen strike less painfully; and we suffer the ills of life with greater patience if we fortify ourselves against them by the shield of prudence." . . . . .

I have abridged this letter, as I am unwilling to fatigue your ears with importunate advice, so multifariously occupied as you are with such a variety of distracting cares; and I know also that the studious industry of your serenity will out of a few things wisely extract a multitude for your welfare. This I most anxiously wish, pray, and beseech you that you would studiously procure for yourself the saving comfort of God's word by frequent examination of the Holy Scriptures, breaking through, so far as it be possible, the storm and perturbation of distracting cares. I think it would be very suitable to your discretion if you would frequently peruse the 29th, 30th, and 31st chapters of the book of Job, and together therewith the delightful commentaries of S. Gregory, as God shall give you opportunity.

1252, Oct. 13.—The Parliament of 1252.

*M. Paris*, vol. v., pp. 324-6.

On the near approach of the feast of S. Edward almost all the prelates of England assembled under a royal decree. Our lord the king brought before them

a papal mandate, \* a thing which is hateful and abominable to all who are zealous for the kingdom ; its purport was that the pope had, by virtue of the authority given him from God, granted for the space of three years, a full tithe of the kingdom, that is to say, of the revenues of the whole church of England, in order to provide expenses for the king's pilgrimage ; a very offensive expression was subjoined, namely, that " payment was to be not according to the old assessment of the churches, but according to a new assessment made after strict inquiry," at the will and judgment of the royal agents and extortioners, who would with great cunning seek first their own, and then the king's profit, to the immeasurable harm and perpetual servitude of the church. The king's messengers, with many arguments, submitted that the assembled bishops should give their consent to this great contribution, and with fox-like 'cunning asked that the money for two years should be paid according to the papal mandate, and that the money for the third year, although it was not mentioned in the mandate, should be furnished before the king started on his pilgrimage ; so that the whole of the money collected in the manner above mentioned, or at least half of it, should be freely and gratefully granted to the king when about to start on his pilgrimage ; for then, so they said, the king would at once direct his march to the east. On hearing this proposal the bishop of Lincoln, who among others was amazed

\* This mandate was dated April 11th, 1250, though not presented till now.

at words so poisoned and drugged to the overthrow of the church, answered in great wrath: "By our Lady, what does this mean? You are arguing on premises that have not been granted. Do you think that we shall consent to this accursed contribution? Heaven forbid that we should thus bend our knees to Baal." The bishop elect of Winchester\* replied: "Father, how can we resist the will of the pope and of the king? The one drives us, the other drags us. In this strait the French agreed to a like contribution, in order to assist the king in his pilgrimage. They are stronger than we, and by habit more ready for resistance. And we, what strength have we for resistance?" To this the bishop of Lincoln replied: "For the very reason that the French contributed, must we resist. For the repetition of an act creates a custom. Moreover, alas, it is clearer than day to what an end the tyrannical extortion of money by the king of the French has led. Let us be warned by previous examples. For my part I speak freely and refuse this evil contribution, that the king and we ourselves may not incur the heavy wrath of God." To this opinion, the bishops of London, Chichester, Worcester, † and the elect of Winchester, with nearly all the others, unhesitatingly assented; but the bishop of Salisbury|| wavered. And, added the

\* Æthelmar. The king's half brother.

† Fulk, Richard de Witry (commemorated by the English Church on April 3rd), and Walter de Cantelupe.

|| William of York, ab adolescentia alumnus curiae. v. p. 545.

bishop of Lincoln, "Let us entreat our lord the king to have regard for the salvation of his soul, and to restrain his rash impulses."\*

**1255.—Violence of William de Valence.**

*M. Paris*, vol. v., p. 343.

William of Valence, coming from his house in the castle of Hertford, entered by force and contrary to a decree lately issued by the common advice of the English, an enclosure (commonly called a park) of the bishop of Ely, near his own manor of Hatfield, and there hunted without any one's leave, contrary both to the law of the land and the honour of knightly breeding. After his hunting, he turned aside to the bishop's manor, and, being thirsty and not finding anything to drink except beer, with great uproar he forced open the doors of the cellars, which were strongly bolted, and amid shameful and horrible brawling and swearing, cursing beer and all who first made it, he ordered the bungs to be drawn from the casks, and, after he had drunk enough of the choice wine with great wastefulness and without any regard, ordered it to be distributed among his attendants and all who chose to take it, as if it was water or the worst kind of beer. When the servant of the manor heard the uproar of the hammering which broke the doors and of the shouting of the

\* After a vain attempt to prevail on Henry to make an independent remonstrance, the clergy resolved that in the absence of the archbishops they were not competent to decide. Stubbs, ii., p. 68.

intruders, he came up to restrain their violence, and to distribute of his own accord a sufficient quantity of wine, but they only abused and insulted him and he with difficulty escaped their violence. When they had alldrunk themselves sick and the wine was spilt all about, they went off jeering and laughing, and not caring whether the bungs were put into the casks or not. After their departure the servant of the manor came up and found the doors crushed in as though in time of war and the wine flowing all over the cellar floor, and he at once made haste to bung the casks and refasten the doors. When the bishop was told of it, he hid his sorrow at the wrong under a calm look and said: "What need was there to steal and plunder that which is courteously and freely given in abundance to those who ask for it? Accursed be so many kings, or rather tyrants in one kingdom." It is clear that so violent and shameless an aggressor of the Church fell under the sentence of excommunication through his act.

**1252.—Archbishop Boniface at Oxford.**

*M. Paris*, vol. v., pp. 352-3.

Archbishop Boniface concealed his wrath like fire beneath the ashes, and at the instigation of Master Eustace, who was more injured and annoyed, determined on vengeance for so great a trespass\* and with

\* This refers to a quarrel with Æthelmar of Winchester respecting S. Thomas's, Southwark; the archbishop's official, Eustace, had been roughly handled, and Boniface had pronounced a sentence of excommunication which Æthelmar declared void.

that intention hastened to Oxford, in order to summon the University of the scholars, assembled there from various parts of the world for the purpose of study, and lay before them a full account of this infamous proceeding, that thus through their descriptions this great offence might be known even among the distant nations of the earth. When he approached the city a great number of clerks in choice attire and mounted on horses with gay trappings came out to meet him, and received him with applause and all reverence and respect, as befitted an archbishop who was primate of all England, and a man of most illustrious birth; and then they conducted him to a rich banquet. When the archbishop and his lazy Provençal clerks had seen the wit, the perfect manners, the dress and strict morality of their entertainers, they were forced to confess that the university of Oxford was a worthy rival of Paris.

**1253.—Grosseteste, Ep. 128.**

*To the Pope, (Innocent iv.).*

(In answer to a letter requiring him to invest Innocent's nephew, Frederic de Lavania, with a canonry of Lincoln.)

. . . The letter is not in its tenor consonant with apostolic holiness, but is alien and discordant therefrom. . . . It cannot be that the most holy Apostolic See, to which is given by our Lord all power, as the Apostle witnesseth, "to edification and not to destruction," can either command or enjoin anything so hateful as this, or can make any attempt at such a thing. For this would evidently

amount to a falling away, a corruption, and mis-using of its most holy and plenary power, a complete departure from the throne of glory of Jesus Christ, and a very close sitting side by side with the two principles of darkness in the seat of the pestilence of hellish penalties. Nor can any one who is subject and faithful to the said See in immaculate and sincere obedience, and not cut off from the Body of Christ and the same holy See by schism, obey commands or precepts, or attempts such as this, from whatever quarter they may come, even if it should be from the highest order of angels, but must necessarily with his whole strength resist and rebel against them. On this ground, out of the debt of obedience and fidelity in which I was bound to the Holy Apostolic See as to my parents, and from strong love of unity with it in the Body of Christ, I decline to obey the things which are contained in the said letter, because they most evidently tend to the sin which I have mentioned, most abominable to the Lord Jesus Christ, and most pernicious to the human race, and are altogether opposed to the sanctity of the Apostolic See and contrary to Catholic unity: filially and obediently I decline to obey, I oppose, I rebel. Neither can your discretion on account of this ordain anything severe against me, for all my saying and doing in the matter is neither opposition nor rebellion, but is the filial reverence to father and mother which is due to the divine mandate. Briefly summing up, I say that the holiness of the Apostolic See can do nothing



that is not for edification, not destruction; for this is the fulness of its power, to be able to do all things to edification. But these "provisions," as they are called, are not to edification but to most manifest destruction: therefore the blessed Apostolic See cannot (issue) them; for flesh and blood, which cannot inherit the kingdom of God, has revealed them, and not the Father of our Lord Jesus Christ, Which is in Heaven.\*

**The pope's reception of the above letter.**

*M. Paris*, vol. v., p. 392.

On hearing this the Pope could not contain himself for wrath and said "Who is this old dotard who dares to judge our deeds? By Peter and Paul were it not for my natural generosity, I would cast him into such deep confusion, that he should be a fable, an astonishment, an example and a warning to the world. Is not the king of England our vassal, nay our slave, who at our nod can imprison this bishop?" But the cardinals said to him, "It is not expedient to act harshly against this bishop, for we confess that what he says is true. We cannot condemn him. He is Catholic, nay most saintly, more religious, more saintly, of more excellent life than we, so that men think he has not among all bishops, any superior, nay nor peer. This is known to all the clergy of France and England and our own contradiction would not prevail. For he is held a great philosopher deeply learned in Greek

\* S. Matt. xvi. 17.

and Latin letters, zealous for justice, a trader in theology, a preacher among the people, a lover of chastity, a persecutor of Simoniacs." So they advised the pope to dissemble and pass this over for fear of a tumult; and the more so because it is known that some day division shall come.\*

**1253.—The French seek Earl Simon.**

*M. Paris*, vol. v., p. 371.

As Easter† drew near the nobles of the French considering that the kingdom of France was through lack of counsel in great danger, owing to the absence of the king, who was fighting for God in the Holy Land, the death of queen Blanche, and the loss of the best men of France, who had fallen in the Holy Land, and perceiving the loyalty and magnificence of Simon Earl of Leicester, who studied to follow his father's example in all things, and that he was now freed from the wardenship of Gascony, earnestly begged him to take up his abode among them and become one of the guardians of the crown and kingdom of France, for which they would heap worthy honours on him as a merited reward. For they knew, they said, that he, like his father Simon who had fought for the Church against the Albigenses, had from of old a genuine affection for the kingdom of the French, nor was he a stranger to the French

\* 2 Thess. ii. 3. Cf. Milman, *Latin Christianity*, vol. vi. pp. 291-292.

† Easter was on April 20.

in blood. This was the second\* time that the French had sent letters and special messengers to the Earl, but he firmly refused their request lest he should seem a deserter.

**1253, April.—The Parliament of 1253.†**

*Matthew Paris*, vol., v. pp. 373-378.

After Easter ‡ in the month of April the whole nobility of England assembled at London under a royal decree to treat with the king concerning the important business of the realm. There were present, besides a great number of earls and barons, the archbishop of Canterbury and almost all the bishops. After a long and fruitless discussion on the great need of the king, who asked for a vast sum of money for his pilgrimage, the Archbishop of Canterbury, the bishops of Carlisle and Salisbury, and the bishop elect of Winchester were sent to the king on behalf of the bishops and all the prelates to urge him, as he had often solemnly promised and sworn to do, to allow holy Church to enjoy its liberties, especially in the matter of elections, wherein ecclesiastical liberty chiefly consists.¶ For as it is

\* Earl Simon had been recalled from Gascony and had withdrawn to France where the nobles invited him to become seneschal. Cf. v. p. 366. Pauli's *Life of Montfort*, p. 72.

† This passage is abridged.

‡ Easter was on April 20. This parliament continued the discussion of the previous October (cf. p. 25 above). Stubbs's *Constitutional History*, ii. p. 67.

¶ Freedom of election was granted by John in a charter dated Nov. 21, 1214, and confirmed by the first clause of Magna Carta.

no one in cathedral or conventual churches can be promoted except by royal interference, whereby the prelates and their dependants are being ruined, and the churches injured beyond measure. But if he would amend this and other abuses in accordance with Magna Carta they would incline to his requests. The king replied, "It is true, and I grieve for it, and repent me greatly for having so acted. We ought therefore to arrange forthwith for the remedying of what has been done, and to prevent its occurrence in the future. And in this you should be my coadjutors; for remember it is I who advanced Boniface of Canterbury here to his high dignity, and thee, William of Salisbury, who art the writer of my briefs, I raised from the lowest position; and thee Silvester of Carlisle, who wert long a petty clerk in my chancery, how have I raised thee over the heads of many reverend men to be a bishop? And, my brother Æthelmar,\* it is well known how I raised thee against the wish of the monks to be head of the noble church of Winchester, though from thy age and learning thou wert still in need of a teacher. First and chiefly therefore is it expedient for me and for you, that you, being guided by my repentance, should resign offices you have unjustly acquired, lest you incur eternal condemnation. And I being justified and chastened by such an example will take care for the future to promote no man who is not worthy." To this courteous and satirical rebuke they

\* Henry was disgusted at Æthelmar's siding with the bishops in the previous October.

replied, "Lord king, we make no mention of the past, but direct our speech to the future." So abandoning trifling matters which would only lead to disputes, they turned to serious business. After a long discussion which lasted for more than fifteen days it was unanimously agreed that the king's pious design of a pilgrimage should not be entirely thwarted, but that church and kingdom should suffer no grievous injury thereby. The tenth part of the ecclesiastical revenues was therefore granted to the king for three years, when he should set out for Jerusalem, the money to be expended on the expenses of the journey under the supervision of the magnates; a scutage\* of three marks was also granted by the barons for that year; and the king promised without cavilling to faithfully observe Magna Carta and all its articles. There were then present Boniface archbishop of Canterbury and the bishops of London, &c. †

"This third ‡ day of May, in the greater royal hall at Westminster, in the presence and with the assent of our Lord Henry by the grace of God illustrious king of England, and of the Lord Earl Richard of Cornwall, &c., &c.¶ We, Boniface, by the divine mercy archbishop of Canterbury, Fulk Bishop of

\* This was for the knighting of the king's eldest son. Stubbs, ii. p. 67.

† All were present but the Abp. of York, and the Bishop of Chester; Chichester was vacant.

‡ Another MS. makes the date May 1;.

¶ A list of the earls present follows.

London, &c., &c.,\* clad in our pontifical robes and with candles lighted, have solemnly excommunicated the transgressors of the liberties of the church, and of the liberties or free customs of the kingdom of England, and especially of those which are contained in the charter of the liberties of England, and in the forest charter. By the authority of Almighty God, of the Father, of the Son, and of the Holy Ghost, and of the glorious Mother of God, the Ever Virgin Mary, &c., &c., we excommunicate, anathematize, and banish from the threshold of Holy Mother Church all who shall henceforth rob or spoil the churches of their rights. Likewise all those who openly or in secret, by any word, deed, or counsel, shall by art or contrivance violate or change the ecclesiastical liberties or ancient proved customs of the realm, especially the liberties and free customs contained in the charters of the common liberties of England, and of the forest, granted by our Lord the king of England to the archbishops, bishops, &c. of England. And let all and singular who knowingly commit any of the above named offences, be assured that they thereby incur this sentence; and those who do so in ignorance, and who do not within 15 days of being warned, make satisfaction, are also involved therein. For the everlasting memory whereof we have affixed our seals to these presents."

The charter of his father John was then produced and read. During the reading of the above sentence

\* The names of the bishops taking part in the sentence are given.

the king had held his hand to his breast with a calm and cheerful countenance; and when at the end they threw down their candles and each and all exclaimed, "So let all who incur this sentence, be extinguished and stink in hell," the king himself said "All these will I faithfully observe unimpaired, as I am a man, a Christian, a knight and a crowned and anointed king. So help me God."

The bishop of Lincoln fearing that the king would withdraw from his compact, immediately on his return to his see ordered sentence of excommunication to be pronounced in each parish church of his diocese against all breakers of the above named charters.

**1253, early in June.—Henry goes to Gascony.**

*M. Paris*, vol. v., pp. 378-9, 383.

At this time the inhabitants of Bordeaux sent word to the king that unless he came promptly and in great strength to Gascony, he would lose all; this they had often declared before, but now did so plainly with the addition that through the tyranny of Simon earl of Leicester he had lost many subjects and friends, which was a falsehood, since Simon had reduced to submission to the king many and most powerful rebels. So the king wishing to please the Gascons, informed them that if he lived he would assuredly come to them in force for their honour and their advantage. He also had proclamation made by herald in Gascony, that thenceforth no man should heed or obey earl Simon. And

he informed each and all, that by reason of his oppression and their complaints he had deposed the earl, and at great cost redeemed the charter which the earl had obtained from him granting possession of Gascony for the next three years. All these proceedings gave great satisfaction to the Gascons ; and then the treachery which had long lain hid, disclosed itself, for from the time when they knew that the earl's period of rule had expired, those who had pretended to be his firmest friends, followed in the train of fortune and appeared as his bitterest enemies.

On the 6th of August, after appointing earl Richard and the queen guardians of the kingdom, and intrusting his eldest son Edward to their care, the king bade farewell to England and put to sea with a favourable wind ; he embarked at Portsmouth and was accompanied by three hundred large ships and a numerous fleet of other vessels. The young Edward, after his father had many times embraced and kissed him, stood crying and sobbing on the shore, and would not leave so long as he could see the swelling sails of the ships.\*

#### Grosseteste's last appeal.

*Ep. cxxxi. Rolls Series, ed. Brewer, p. 442.*

To the nobles of England and the citizens of London and the community of the whole kingdom.

\* Henry reached Bordeaux Aug. 15, and did not return to England till Dec. 27, 1254.



Would that the faithful and beloved children of the English church and her noble pupils would mark the injury which that noble Church is receiving, that Church which is their mother, which has regenerated them with the Spirit and with water ; a church which beyond all others in Christendom abounds in temporal goods, and has flourished in such a special freedom as to have been for a long time free and untouched by the impositions and provisions of the Roman court, its goods not being exacted from it by the hands of aliens, but the inhabitants of the kingdom, its children, uniting to defend it.

But now it is worn down and torn with so many oppressions and provisions, that while its own people are thirsting, it is compelled to give its milk (in grief be it spoken) for the use of aliens and foreigners, and its ample patrimony is ceded to the profit of a people whom it knows not ; that patrimony which the pious devotion of the great men of old most devoutly gave for the advancement of divine worship, and the support of the ministers of the church and the poor of Christ ; this now, against the will of its founders, is seized without reason, not only by unknown persons, but even by capital enemies, the inhabitants of remote regions, who not only strive to tear off the fleece, but do not even know the features of their flock, do not understand their language, neglect the care of souls, and yet collect and carry away money to the pauperising of the kingdom. And, unless a remedy be speedily applied with all caution against it, by means of these reservations, pro-

visions, impositions, and processes of the Apostolical See, which, through the too great patience of the English (I should rather say, too great folly), day by day grow stronger, that church, which was of old free, will be subjected to a perpetual tribute. Let, therefore, the noble knights of England, the renowned citizens of London, and the whole kingdom, take heed of the injury of their exalted mother, and rise like men to repel it. Let them see and understand if it be fitting and expedient that Englishmen (like oxen and sheep which bear the yoke and carry the fleece not for themselves, but for others) should behold others reap what they themselves have sown, and that thus those who labour the least should claim for themselves the good. . . . Let the secular power be effectually armed, that by excluding altogether provisions of this sort, the priesthood of the kingdom may increase in the Lord, and the treasure of the English may be kept for the support of their land, a thing which indeed will not only tend to the unspeakable advantage of the kingdom and people, to a glorious title of praise for ever to be remembered, but also to an increased accumulation of merits in the sight of God.

**1253, Oct 9.—Death of bishop Grosseteste.**

*M. Paris*, vol. v., pp. 406-7.

\* After expressing his hatred of these and other enormities, to wit of every kind of avarice, usury,

\* This is the end of the description of a speech made to some of his clerks by bishop Grosseteste on his deathbed.

simony, plundering, of every kind of luxury, lust, gluttony, and love of adornment, which reign in that court, so that it is said with justice of it,

*Ejus avaritiæ totus non sufficit orbis,*

*Ejus luxuriæ meretrix non sufficit omnis,*

the bishop endeavoured to show how that court, "trusting to draw Jordan into its mouth,"\* was with open jaws striving to claim for itself the property of those who died intestate or left no clear bequests; and now to do so with the greater freedom they made the king an accomplice and participator in their robberies. "Neither shall the Church be freed from the slavery of Egypt save with blood at the point of the sword; these evils are now light, but in a short time, yea within three years, shall they become heavier."

At the end of this prophetic speech, which he could scarcely deliver through the interruption of sobs and sighs and tears, his tongue faltered, and, his breath failing him, he lost the power of speech.

So the saintly Robert II., bishop of Lincoln, passed away from the exile of this world, which he never loved, at his manor of Buckden, on the night of S. Denis's day; he had been an open rebuker of pope and king, the corrector of bishops, the reformer of monks, the instructor of the clergy, the support of scholars, the preacher of the people, the persecutor of the incontinent, a careful reader of the scriptures, the hammer of the Romans whom he despised. At the table of bodily food he was liberal, plentiful,

\* Job xl. 23.

courteous, cheerful, affable ; at the table of spiritual food devout, tearful, penitent ; as a prelate sedulous, venerable, indefatigable.\*

**1253, Nov.—How Simon de Montfort comes to the king.**

*M. Paris*, vol. v. p. 415.

At this time Simon earl of Leicester, who for his fidelity and courage had been asked to become seneschal of France,† but had refused because no man can properly serve two masters who are opposed to one another, came to his lord the king of England in Gascony, declaring himself ready and willing to serve him in subduing the rebels who were his enemies. Now the Gascons dreaded the earl as a thunder-bolt ; he also brought with him a chosen body of knights maintained at his own cost, and to be so maintained during the king's pleasure ; truly he had a great number of knights and serving men.

For the earl had been told to recompense good for evil in the spirit of charity and humility, which passes the bounds of human feeling ; and to think nothing of the hasty words of his lord the king, who, in the sudden heat of anger had, at London, some time previously burst into open and unseemly

\* After his death Grosseteste won Matthew Paris' praises. "Let no one," he says, "wonder at the violence of this prelate in his life ; he had zeal but not according to knowledge ; yet I confidently assert that his virtues pleased God more than his failings displeased Him." Cf. v. p. 419. Cf. also Milman, *Latin Christianity*, vol. vi. p. 291-293.

† Cf. above p. 33.

abuse against him ; further should he recall the benefits which the king had bestowed on him, in giving him his sister to wife, in granting him the earldom of Leicester, and in bestowing on him the guardianship of the heir of Gilbert de Amfraville.

To this advice, which was given by Robert, bishop of Lincoln, his confessor and particular friend, the earl lent an obedient heart, and the king admiring his charity, received him with the greatest joy. So the Gascons, who are the friends of fortune, hearing of the coming of earl Simon and his formidable following, were humbled, and returned by degrees to their subjection to their king.\*

**1254.—Writ of summons to a great council.**

*Stubbs's Select Charters*, pp. 376-7.

The king to the sheriff of Bedford and Buckingham, health. Since the earls and barons and the other nobles of our kingdom have firmly promised to us that they will be in London on Easter Day next for three weeks, with horses and arms, ready and well furnished for going without delay to Portsmouth, to cross with us to Gascony against the king of Castile, who is about to enter, in hostile manner, with strong force, our land of Gascony during the ensuing summer, and we have also ordered you that you will constrain to the same all those in your jurisdiction who hold 20 librates of land of us in chief or of others who are under age and in our ward ; we straitly charge you that besides all these

\* Cf. Pauli's *Life of Montfort*, p. 74.

above-named you shall make to appear before our council at Westminster within a fortnight of Easter next, four legal and discreet knights of the aforesaid shires whom the same shires shall elect for the purpose, in place of all and singular of the same shires—*i.e.*, two from one county and two from the other—to provide, together with the knights of the other shires whom we have summoned for the same day, such aid as they desire to give us in so great need. And you yourself shall diligently explain our necessity and very urgent affairs to the knights and the others of the shires aforesaid, and effectually persuade them to grant us a sufficient aid; so that the aforesaid four knights may be able precisely to answer our said counsel at the date fixed, concerning the said aid on behalf of each of the said shires. And we also straitly command you that you present at the exchequer, within a fortnight of Easter, all the dues which are due to us at the said exchequer on or before the same Easter, knowing that unless you have the said dues ready we will not only cause your body to be arrested but will cause the said dues to be raised from your lands and holdings, to your no small loss.

By the witness of Eleanor, queen, and Richard earl of Cornwall, at Windsor the 11th day of February.

## 1254.—Misery of the Jews.

*M. Paris*, vol. v., p. 441.

Between Easter and the Rogation days the king,\* who could not rest, vented his fury on the wretched people of the Jews to such an extent that they hated their lives. Earl Richard called them together and demanded of them for the use of the king, who was in great need, a very large sum of money under pain of cruel imprisonment and ignominious death. Then Elias of London, the high priest of the Jews, who had often willingly or unwillingly paid large sums of money, after holding council with his fellows, replied on behalf of them all: "My lords and masters, we see without doubt that our lord the king proposes to blot us out from under the sky. For God's sake, let him grant us permission and safe-conduct to leave his kingdom, that we may seek and find an abiding-place elsewhere under some prince who has bowels of compassion, and stedfastness of truth and faithfulness; then will we depart never to return, leaving here our furniture and homes. How should he love us wretched Jews or spare us, who destroys his own natural born English? He has the papal, nay, his own, traffickers, I do not call them money-lenders, who, from

\* Henry was as usual in want of money. In January he had sent messengers from Gascony to the English Parliament asking for money, but obtained aid only from Richard of Cornwall, and Richard de Clare. At Easter he sent again, but the nobles were forewarned by Simon de Montfort, who had now returned to England. Cf. v., pp. 423-4, 440.

their exalted positions, pile up infinite masses of money. On them let the king depend, and let him gape after his own gain. Us they have verily supplanted and impoverished. Surely the king conceals his knowledge of this, when he demands of us that which we cannot supply, though he were to pluck out our eyes and flay us alive." This speech he delivered with tears and sighs, and when he stopped all but fell dead in a fit. And when it came to the knowledge of the governors, they did not allow them to depart from the kingdom, saying: "Whither would you fly, wretched creatures? See the king of the French hates and persecutes you, and has condemned you to perpetual exile; do you seek while fleeing from Charybdis to be dashed on Scylla?" So their small remaining substance, which afforded them a meagre sustenance, was taken from them by force.\*

#### 1254, June.—Marriage of Edward.

*M. Paris*, vol. v., pp. 449-450.

At this time Edward was sent with great pomp and state to Alfonso † king of Spain, where he was received with honour and reverence, and espoused

\* In 1255 Henry again repeated his demand for money, and the Jews again requested permission to leave England. Henry then sold them to earl Richard, who spared them. v., pp. 487-8.

† —i.e., Alfonso XI. of Castile, called king of Spain, propter eminentiam, as Paris says elsewhere.

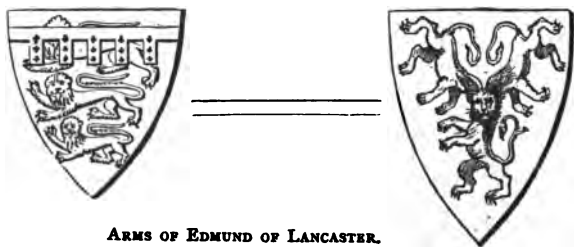


the king's young sister Eleanor at Burgos ; he also received the honour of knighthood at the hands of the king, who was well pleased at the youth's handsome appearance and bearing. Edward then returned with his bride to his father and was received with great rejoicing, as though he had been an angel from God. Sir John Mansel also brought with him a charter of the king of Spain under a golden seal, by which for himself and his heirs he quitted claim to all Gascony in favour of our lord the king of England and his heirs. Then the king of the English bestowed on Edward and his wife, Gascony, Ireland, Wales, Bristol, Stamford, and Grantham, so that he himself seemed to be but half a king.

**1254.—Sicily offered to the king's son Edmund.**

*M. Paris*, vol. v., pp. 457-8.

Master Albert returned to the Roman court and reported that he could not influence earl Richard to



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consent to accept the kingdom of Sicily and Apulia, which had been offered to him, or expose himself and all his possessions to risk unless the pope would first give the best of hostages from his own family as security for his good faith; and would moreover aid him with a certain sum of money to be laid out on the expedition, and would also hand over to him certain castles on the frontier which were in the pope's possession, so that he might have safe places of retreat. But the pope seeing this would cause him difficulties replied, "We will not submit to so many conditions." Master Albert then added, "The earl told me that if you would not do as above stated, you might as well say 'I sell or give thee the moon, climb up and take it.'" Then the pope, finding that his hints had no effect upon the earl, added, "We do not care for an alliance with him, or to have anything in common with him." So when the pope was satisfied that he had spread his net in vain in the sight of the birds,\* he sent secret messengers to our lord the king of England, to work on his simplicity, since he knew that he was easy of belief and prone to his own loss, and offered to grant him the kingdom of Sicily and Apulia, and to give him such assistance in getting possession of it as he could without loss to himself; and that he would direct all crusaders from their prime intention of sailing to the Holy Land, in order that they might all together follow the king of England and aid him in obtaining Sicily and Apulia. On hearing this the Templars, Hospitallers, the patriarch of Jerusalem,

\* Prov. i. 7 17.

and all the prelates and inhabitants of the Holy Land, who are face to face with the enemies of Christ, and who are already in fear of yet worse things, were grieved to the death in abhorrence of Roman treachery. The king, however, was so delighted with the pope's shadowy promise, and his heart was so puffed up with vain joy, that his exultation showed itself in voice, manner, and laugh, and he openly called his son Edmund king of Sicily, firmly believing that the agreement about the kingdom was already concluded. The pope's nuncio, however, instructed him not to divulge the secret, lest forsooth it should come to the knowledge of his friends who knew the wiles of Rome, and that he would thus be forewarned. Then the king sent to the pope all the money he could draw from his treasury or the exchequer, all he could get from his brother earl Richard and all he could scrape together from the Jews, or extort from the plunder of his itinerant justices, to supply means for attacking Conrad, and subduing all his Sicilians and Apulians.\*

\* As early as 1250 earl Richard himself stated that he had refused the Sicilian crown. In 1252 Master Albert came with full power to treat with Richard for Sicily; Richard, who was bound by friendship to Conrad and unwilling to supplant his own nephew Henry of Hohenstaufen, refused; nor would Henry accept it for one of his sons while his nephew Henry lived, but that prince died early in 1254, and the pope having offered to lend him money and commuted his vow of pilgrimage, the king accepted Sicily for Edmund. The formal cession was made March 6th, 1254, by Albert, and confirmed by Innocent, May 14th. Alexander IV. repeated the confirmation, but Henry did not have his acceptance sealed till October 18, 1255. Cf. Stubbs, ii., p. 71.

**1254, Dec.—Henry pledges the kingdom to the pope.**

*M. Paris*, vol. v., p. 470.

At this time the king, contrary to his duty and to expediency, pledged himself and his kingdom to the pope under penalty of disinheritation, a thing which he had neither power nor right to do; this was in security for the treasure which the pope should expend in his war which he had commenced on a magnificent scale in the king's behalf; he also urged him to allow no omission through despair of the supply of money, but to push on his undertaking, and crush all who stood in the way of his pious design. For he, the king, was supplying him with all necessaries in abundance from the inexhausted well of England. Thereon the pope who had no bowels of affection for England, borrowed largely, nay lavishly, of the Italian usurers whom they call merchants, and these debts, through the extortion of the pope, and the cheating of the king, England, now a handmaid in the lowest degree of slavery, was compelled to pay.

**1255.—Hoketide parliament of 1255.\***

*M. Paris*, vol. v., pp. 493 5.

At Hoketide† all the nobles of England assembled

\* This passage is abridged.

† In quindena Paschæ quæ vulgariter Hokedai appellatur. Hokeday has been explained as Hucx dæg, *dies irrisionis*, either (i) marking the slaughter of the Danes in 1002, or (ii) because of the custom of women standing in the streets and waylaying passers-by with ropes stretched across the way to extort money for charitable objects.

at London ; never before had such a host of people been gathered there. To sum up shortly, the king complained that he had many debts, from which he could not be freed without the effectual aid of his magnates, and so he urgently demanded an aid of money, namely, that he would take the full portion of the tenth previously granted from the baronies ; which proceeding would clearly be the ruin of the kingdom, for when deprived of its money it would be exposed to all who might wish to take possession of it. So they took council and decided that they would undertake a weary burden in return for the observance from that time forward and without cavilling of Magna Carta, which the king had so often promised and sworn to observe. They further required to choose for themselves by the general advice of the realm, a justiciar, chancellor and treasurer, in accordance with ancient custom and justice ; these officers are not to be removed except for evident faults, and after due deliberation by the common advice of the kingdom in council assembled. The prelates and nobles did not know how to bind their Proteus, the king, even if he should grant all this, because in all things he transgresses the bounds of truth ; moreover they had learnt that he would never grant their wishes in the matter of the justiciar, chancellor and treasurer. The prelates were grieved because, through the slavery of the Church, they had to pay absolutely the tenth which they had promised on conditions, the nobles at the thought of the impending extortion. At length they

agreed to report to the king, that the business must be postponed till Michaelmas, that in the meantime they might make trial of his kindness and good faith, if haply by observing the charter that had been so often promised and so often purchased, he might turn their hearts towards him, and that they themselves might so far as in them lay assist him in his need. These conditions it is said, the king did not accept, but showed his refusal by keeping silence. And so after long and useless discussions the council broke up.

**1255, October.—The wretched condition of England.**

*M. Paris*, vol. v., pp. 514, 515.

Most grievous reports gained ground that a legate\* or papal clerk, armed with the power of a legate, had been dispatched *a latere* by the pope, and was now close at hand, only waiting for a favourable wind. This envoy was ready and willing in the first place to second the king in everything, to the ruin of the community of England, and to enshackle with the bonds of anathema all gainsayers of the royal will, tyrannical as it had been. The prelates and nobles of England were further alarmed and plunged in the gulf of despair because the king with indescribable cunning had gradually gathered foreigners about him, and had one by one drawn into a league with him many, nay nearly all, the chief men of

\* Rustand, a lawyer and subdeacon of pope Alexander IV. He came to collect a tenth and absolve Henry from his vow of crusade. Cf. v., pp. 519, 520.

England, as, for instance, the earls of Gloucester, Warrenne, Lincoln, and Devon, together with many other nobles, and because, by despoiling his native subjects, he had enriched his own brother's kinsmen and relations, so that if the general community of the kingdom ventured to stand up for their rights against the king they would have no power to check, nor means to gainsay, the king and his foreigners. Earl Richard also, who is reckoned the chief of the magnates, held himself neutral, as also did others, not daring to murmur. The archbishop of Canterbury, who ought to have been a shield against the attacks of enemies, was in foreign and distant parts, engaged with divers worldly matters,\* and caring little for his flock in England. Those high-minded and zealous defenders of the kingdom, the archbishop of York, Robert bishop of Lincoln, Warrenne de Munchensi, and many others had been taken from our midst.† Meantime the king's Poitevin brothers, the Provençals, and now the Spaniards and the Romans are enriched with daily increasing revenues, and are covered with honours to the exclusion of the English.‡

\* He was in arms with his brother Philip, archbishop of Lyons, besieging Turin to release the head of his house, the count of Savoy, whom his subjects had deposed and imprisoned for his intolerable tyranny.

† Walter de Gray had died May 1, 1255, having been archbishop of York for 40 years. W. de Munchensi, *relator pacis et libertatis regni*, had died shortly after. -v. pp. 495 and 504.

‡ On the wretched state of England at this time, cf. *Ann. Waverley*, p. 350; quoted in Stubbs, vol. ii., p. 73.

**1255, January 29.—Crucifixion of S. Hugh.**

*M. Paris*, vol. v., pp. 516-518.

This year, about the feast of the apostles Peter and Paul, the Jews of Lincoln stole a boy called Hugh,\* who was about 8 years old. After shutting him up in a secret chamber where they fed him on milk and other childish food, they sent to almost all the cities of England in which there were Jews, and summoned some of their sect from each city to be present at a sacrifice to take place at Lincoln, in contumely and insult of Jesus Christ. For, as they said, they had a boy concealed for the purpose of being crucified; so a great number of them assembled at Lincoln, and then they appointed a Jew of Lincoln judge, to take the place of Pilate, by whose sentence and with the concurrence of all the boy was subjected to various tortures. They scourged him till the blood flowed, they crowned him with thorns, mocked him, and spat upon him, each of them also pierced him with a knife, and they made him drink gall, and scoffed at him with blasphemous insults, and kept gnashing their teeth and calling him Jesus, the false prophet. And after tormenting him in divers ways they crucified him, and pierced him to the heart with a spear. When the boy was dead, they took the body down from the cross, and for some reason disembowelled it; it is said for the purpose of their magic arts. The boy's mother, when her son had been missing several days,

\* Cf. the supposed murder of a boy by the Jews in London related in "The Misrule of Henry III." pp. 91-93.



sought for him diligently, and the neighbours told her that they had last seen him playing with some Jewish boys of his own age, and going into the house of a Jew. So the mother entered the house suddenly and saw the boy's body lying in a well; the bailiffs of the city were then cautiously summoned, the body was found and drawn up. It was a remarkable sight which then presented itself to the people the mother's cries and lamentations provoked all the citizens assembled there to tears. There was present John of Lexington, a man of learning, wise and prudent, who said, "We have heard sometimes that Jews have dared to attempt such things in insult of our crucified Lord Jesus Christ;" and then addressing the Jew whose house the boy had entered whilst at play, and who, as being for that reason a greater object of suspicion, had been arrested, "Wretched man, dost thou not know that a speedy end awaits thee? All the gold in England would not suffice to ransom or save thee. Yet unworthy though thou art, I will tell thee how thou canst save thy life and limb from destruction. Both of these will I save thee, if without fear or falsehood, thou wilt expose unto me all that has been done in this matter." Then the Jew, whose name was Copin, thinking that he had found a way of escape, answered: "My lord John, if thou wilt repay my words with deeds, I will show wondrous things unto thee." Then when John zealously urged and encouraged him, the Jew continued:—"What the Christians say is true. Almost every year the Jews

crucify one boy in injury and insult to Jesus. But one is not found every year, for they do this privately, and in remote and secret places. This boy whom they call Hugh, our Jews crucified without mercy, and after he was dead, and they wished to hide his corpse, they could not bury or conceal it. (This they wished to do, as the body of an innocent boy was considered useless for augury, which was the reason for disembowelling it.) In the morning when they thought it was hidden away, the earth vomited and cast it forth, and there it lay unburied on the ground to the horror of the Jews, At length they threw it into a well, but still they could not hide it, for the mother never wearied in her search, and finding the body informed the bailiffs." The Jew was kept in chains, and the body given to the canons of Lincoln, who had asked for it, and who, after displaying it to an immense number of people, buried it honourably in the church of Lincoln, as if it had been that of a precious martyr. The king, when he heard what had happened, was angry with John for having promised life and limb to such a wicked being, which he had no right to do; for a blasphemer and murderer such as that man deserved to die many times over. Then the guilty man said, "My death is imminent, nor can John give me any assistance. I will tell the truth to you all. Nearly all the Jews in England agreed to the death of this boy, and from nearly every English city where Jews live, some were chosen to be present at this sacrifice as a Paschal offering." Then he was tied

to a horse's tail and dragged to the gallows, where he was delivered body and soul to the devils of the air. The other Jews who shared in the guilt, to the number of 994, were taken to London, and imprisoned there;\* and if any Christians pitied them, they were only dry tears which their rivals the Caursines shed.†

**1255, October 18.—Council of the prelates in London.**

*M. Paris*, vol. v., pp. 524-525.

By the pope's authority on the 13th October, Rustand‡ assembled all the prelates of England at London, to hear a precept from our lord the pope, and that after treating of some important business that concerned both the king and the pope, they might, like obedient sons, return a wise and favourable answer to the demands that had been made, and also to those which were to come. When they were assembled at the appointed time and place, and when Rustand's powers had been read and explained, that person made a speech to them demanding a vast sum of money from them all, by means of writs full

\* Of these 18 were executed; of the others 35 were eventually released next year on the intercession of the Franciscans, who, according to a report, had been bribed. Cf. v. pp. 519, 546, 552. This act of mercy is ascribed to the Dominicans by the *Burton Annals*, Ed. Rolls Series, p. 346.

† For the Caursines, Christian usurers, see "The Misrule of Henry III.," pp. 12, 13.

‡ For Rustand's mission to England, cf. Milman's *Latin Christianity*, vol. vi., pp. 322, 323.

of iniquity and wrong, and which would deeply wound the heart of the most patient; if this money had been collected the Church of England, nay the whole kingdom would have been reduced to the most abject slavery, and afflicted with irretrievable poverty. For it was an insupportable burden which he laid on others to bear, "but he himself will not move it with one of his fingers."\* Not to mention other instances he enjoined the house of S. Alban's of itself to pay 600 marks to the pope, besides usury and heavy conditions wherewith these usurious merchants, to whom the power of oppressing the churches at their pleasure had been granted, might coerce the said house. Furthermore Rustand, the bishop of Hereford† and their accomplices made haste to shorten the term allowed for payment, under pain of suspension and excommunication; though those bound could not possibly keep the term fixed on. But this was done to compel the prelates in their turn to receive the money from the merchants, and so entangle themselves in their usurious conditions, for each and all considered it was not only difficult but impossible. After they had carefully deliberated on these matters for several days, bishop Fulk of London, said with a long-drawn sigh, "Rather than

\* S. Matt. xxiii. 4.

† Peter de Aigueblanche, a Savoyard, *cujus memoria sulphureum foetorem exhalat*; he proposed to the king to raise money by obtaining from the prelates blank sheets sealed with their seals, which were filled up with promises to pay at the king's discretion. Cf. v. pp. 510, 511, and *Ann. Osney*, p. 110.

willingly subject our great church to slavery, wrong, and intolerable oppression, I will lose my head." And on seeing his determination bishop Walter of Worcester loudly exclaimed: "And I will be hung, rather than see holy Church so ruined."\*

**1256, Jan. 7.—Trial of the Jews for the murder of S. Hugh.—Henry III. to the sheriff of Lincoln.**

Royal Letters, Shirley, Rolls Series, p. 110.

We order you that you cause to come before our justices at Westminster on the morrow of the Purification twenty-four legal and discreet knights of your county and the neighbourhood of Lincoln, and twenty-four legal and discreet burgesses of Lincoln, to certify our justices aforesaid concerning the death of Hugh, the son of Beatrice, whom, as is said, the Jews crucified and slew; since the Jews accused thereof, whom we detain in our prison at the Tower of London on account of the aforesaid felony, have put themselves on the verdict of the said knights and burgesses.

**1257, Christmas.—How earl Richard was elected king of Almaine.**

*M. Paris*, vol. v. pp. 601-603.

In the year of Our Lord 1257, which was the 41st of king Henry III., our lord the king kept Christmas at London, where he had gathered together earl Richard and many of the magnates, and there came

\* Encouraged by Fulk and Walter the bishops appealed to the pope, and refused to agree to Rustand's demands.

to him certain of the chief men of Germany to announce to all who were present, that by unanimous consent they had duly elected earl Richard king of Germany. They asked for the said earl to be their king and lord, provided he would agree to their will. The archbishop of Cologne, who is arch-chancellor of the Holy Empire, and certain other magnates of Germany sent letters testificatory, together with the ratification by the same special messengers, declaring that no one had ever been elected to that dignity so spontaneously and unanimously and without the least opposition.\* Whilst all were hesitating as to what ought to be done, since the earl's presence was very necessary to the kingdom of England, the king spoke out openly: "My counsel and desire is to avoid any appearance of weak-heartedness, and that the earl do not refuse to accept an honour conferred and offered alike by God and man." And as some felt alarm because within the last few years two kings of Germany had been chosen, and after their advancement had met with an ill-omened end,† others consoled him by saying, ‡ "Wise and prudent earl, do not be alarmed at the disasters of the landgrave Henry and count William of Holland. The pope

\* In reality it was a divided election, some of the electors choosing Alfonso XI. of Castile.

† Henry of Thuringia was killed by a fall from his horse after reigning only 6 months in 1246-1247. William of Holland was killed whilst fighting against the Frisians, Jan. 1256.

‡ This speech is not given in full.

does not thrust you into the position to support you with the spoils of the church which would never profit you." The king and his brothers, particularly the elect of Winchester, eagerly encouraged him, declaring that the honour would exalt the whole English nation for ever. Thereon the earl, inspired with many feelings and roused to good hopes, said with a free and eager voice, "I, trusting in the mercy of God, though I am incompetent and unworthy, gratefully accept this honour and burden, conferred on me as I hope by heaven, and this I do that I may not be called timid and weak-hearted." Then turning to the bishops, one of whom was Richard of Bangor (who related these facts to the writer), he continued, "If I do this from ambition or courteousness, may I be consumed by hell-fire, and die by a sudden death before leaving this chapel. My desire is to restore the condition of that kingdom, which may God grant, and to have strength to govern those, who of their own free will have chosen me to lord with all modesty and honour." This speech drew tears from many, and caused great joy to the German envoys, who had been doubtful about obtaining his consent, but now being assured of his goodwill and favour, they returned home in joy to make their report to the magnates who had sent them, within twenty days of Christmas.

The magnates of Germany hold the pride of the French in hatred, and are always attacking one another; so they do not care for a Frenchman or

any one of that race to reign in Germany; nor do they wish for one of themselves on account of their internal discords, for the Germans are impetuous and proud,

"Omnisque superbus  
Impatiens consortis erit;" \*

nor do they wish to choose an Italian or Roman, still less a papalist, on account of their insatiate avarice. Therefore after careful deliberation they chose earl Richard, as well on account of his speaking the English language, which in sound resembles the German, and of his common descent,† as for his faithfulness, firmness, and wisdom, and for the abundance of his wealth. So one said satirically:

Nummus ait pro me, nubit Cornubia Romæ. ‡

**1257, March 25.—Presentation of Edmund to the parliament.**

*M. Paris*, vol. v., pp. 623, 624.

Before the parliament was concluded the king brought in his son Edmund, dressed in the Apulian

\* *Lucan*, i. 93.

† *I.e.* in reference to the connexion between the English royal house and the German Welfs through the marriage of Henry the Lion with Matilda, daughter of Henry II.; Otto IV. was their third son.

‡ Richard left England in April, and was crowned at Aachen on May 27th.



fashion, and pointing him out said in the hearing of all :—" You see, my lieges, my son Edmund, whom the Lord hath of his free grace exalted to the dignity of kingly excellence. Behold, how evidently worthy he is of all men's favour, and how inhuman, how tyrannical that man would be who would deny him effectual and timely aid and advice in this crisis !" He added a declaration that by the advice and good favour of the pope and of the English church, for the purpose of obtaining the kingdom of Sicily, he had bound himself under penalty of losing his kingdom to pay 140,000 marks, besides the usury which silently though surely increases every day ; he also asked for a period of five years a general tithe of the whole clergy, that is to say of all their benefices, to be assessed according to the new methods of taxation, without deduction for any but necessary expenses ; likewise for the first year's fruits of all ecclesiastical benefices that should fall vacant for five years ; likewise for a moiety of the fruits of those residing in their benefices ; likewise from the privileged the fruits of all their benefices, though the revenues of a moderate period were reserved for their sustenance. At this speech the ears of all tingled and their hearts were struck with great amazement, the more so because they knew this tyranny to have had its origin with the pope. At length after they had set forth excuses with tears, and begged for a respite, which they could not obtain, to the irretrievable injury of the English

church they promised the king 52,000 marks to meet his pressing necessities ; this promise, however, was made on the conditions that he would thenceforth inviolably observe Magna Carta, which had so often been promised, purchased and repurchased, and that he would refrain from injuring and impoverishing them by plundering them on so many pretexts. It is said that the king had never yet received so handsome a gift as this.

**1257.—Quarrel between Simon de Montfort and William de Valence.**

*M. Paris*, vol. v., p. 634.

A great quarrel,\* between Simon earl of Leicester and William de Valence, broke out in the presence of the king and many of the magnates at London. For this William, on the strength of being the king's uterine brother, showed no respect for any of his neighbours, least of all for monks, to their great loss, and, like his brothers, assuming the horns of tyranny by reason of his relationship to the king, and shamelessly invaded the possessions of the said earl and carried off booty therefrom. The earl's seneschal

\* \* The quarrel was again renewed at the Hokedide parliament of 1258, when William de Valence again called the earl a liar and traitor, and the earl answered, "Nay, nay, William, I am no traitor's son, nor traitor; our fathers were unlike." Cf. Pauli's *Life of Montfort*, p. 89. *M. Paris*, v. pp. 676-77.

having rescued this booty, William was moved to wrath and heaped injuries on the earl, both by word and by deed. When these matters were related before the king and complaint was made, a quarrel broke out which nearly led to blows. For William, before the king and nobles, openly gave the earl the lie, and disrespectfully branded him with the reputation of treachery, which is a great offence to knights; at this the earl was greatly excited and, so it is said, wanted to rush on him, for anger is a short madness; however, the king, in amazement, threw himself between his brother-in-law and brother to prevent the former killing the latter, and fortunately, though with difficulty, he stopped the earl. The dregs of enmity thus produced between them never afterwards lost their strength.

**1257, July 22. — Expedition to Wales.**

*M. Paris*, vol. v., pp. 639, 640.

Our lord the king sent his writs through all England ordering all who owed service to their lord the king to be ready and equipped with horses and arms to follow him into Wales on the feast of S. Mary Magdalen, whither he was going to make an expedition to check the violence of the Welsh, who were roaming about at will, seizing the castles of the border barons and even of the English with impunity,

killing the garrisons, and spreading fire, slaughter, and destruction far and wide. Then the Welsh, learning that the king intended to make an expedition against them with his army, prudently despatched their children, wives, and flocks into the interior, about Snowdon, a mountainous district, which was inaccessible to the English, ploughed up their fields, destroyed the mills, carried away every kind of provisions, broke down the bridges, and rendered the fords impassable by digging holes on the route by which the English would cross, so that if they made the attempt they would be drowned; and the work of war prospered in their hands; for their cause seemed a just one even to their enemies. And this it was that chiefly encouraged them in their struggle for their ancestral laws and liberties, which struggle, after the manner of the Trojans, from whom they sprung,\* they maintained with a firmness worthy of their descent. Shame to the wretched English, who are trampled under foot by every foreigner and do not blush at suffering the ancient liberties of their realm to be extinguished, nor model themselves on the pattern of the Welsh. These latter would yield no obedience to Edward the son of our lord the king, but, with jeers and scoffing, heaped insult upon insult, so much so that he conceived the intention of giving up Wales and the Welsh as untameable.†

\* In reference to the legend of the Trojan Brutus having colonised Britain.

† Edward, who was called *dominus Walliæ*, had had much trouble in Wales. Cf., among other places v., p. 597.

Oh, England! Justly art thou reckoned the hand-maid of nations, and the last of them in rank. What thy inhabitants produce, strangers plunder and carry away.

**1258, April.—Answer of the barons to the king's demand for money.**

*M. Paris*, vol. v., p. 680.

In the aforesaid parliament\* the king had most urgently demanded a large sum of money for the purpose of expediting his business in Apulia, and for prosecuting other matters of difficulty, the magnates now with firm insistence replied that they could not possibly without irreparable ruin to themselves completely drain their small substances so often and so uselessly. If without advice and without propriety he had obtained the kingdom of Apulia from the pope for his son Edmund, he must attribute it to his own simplicity, and must bring the matter to the best conclusion he could, since he had acted unwisely and without taking the advice of his nobles, spurning alike deliberation and prudence, which generally measure the results of actions beforehand. He ought to have learnt a good example from the wisdom of his brother Richard, the king of Germany, who, when the pope offered him the kingdom of Apulia, through

\* According to *M. Paris* it met April 2, generally it is placed a week later; it continued sitting till May 5. Cf. Stubbs ii., p. 74.

his messenger, Master Albert, refused it with contempt; especially because between England and Apulia there were so many unknown kingdoms of various languages, so many principalities and cities well provided with soldiers and arms, the sea, the mountains, and toilsome length of land.

**1258, May 2.—Death of Sewal, archbishop of York.**

*M. Paris*, vol. v., pp. 691, 692.

At Ascensiontide the archbishop of York, that he might ascend with the Lord, flew away from the prison of this world to heaven above. While he lived he fought in defence of his church against the tyranny of the court of Rome, with all the power he could, and had suffered many tribulations; now, as is truthfully believed, he has received the crown of victory and exchanged the life of this world for the kingdom of heaven. He had followed in the steps of the blessed Edmund, just as he had been his hearer in the schools, his disciple and fellow student, and endeavoured with success to assimilate and conform his conduct to the pattern of that saint. Saint Edmund, when lecturing in theology at Oxford, used to say to this dear friend and favourite pupil: "Sewal, Sewal, thou wilt pass from this world a martyr, thou wilt be attacked and slain by the sword, or at least by heavy and unendurable tribulations in the world. Yet let Him console thee who inspired

His psalmist to say, 'Great are the tribulations of the just, but the Lord shall one day deliver them out of all.'" It is most certain that many martyrs have passed from the world without bloodshed, as S. John the Evangelist and others.

This holy archbishop when he foresaw that death was certainly approaching, and that he was about to pass from this world, raising himself up, clasped his hands and turned his tearful face to heaven, saying, "Lord Jesus Christ, most just of judges, by Thy infallible scrutiny Thou knowest how the pope, whom Thou hast allowed to be set up to govern Thy church, has in many ways troubled me in my innocence, for that, as God knows and as is not unknown to the world, I would not admit utterly unworthy and unknown persons to rule the churches which Thou hast entrusted to me, unworthy though I am. Yet that the pope's sentence, however unjust it be, may not through contempt become a just one, I humbly beg for absolution from the shackles of excommunication. And the pope I summon before the most high and incorruptible Judge, where heaven and earth shall be my witnesses that he has unjustly attacked, troubled, and scandalised me in many ways."\*

\* Sewal, who had previously been dean of York, was elected archbishop on the death of Walter de Gray, and after some delay consecrated in 1256, though not till irreparable damage had been done to his diocese; a Roman was, under papal authority alone, fraudulently forced into the deanery of York, much to the vexation of Sewal, who did all he could to invalidate the pro-

1258, June 11.—The parliament of Oxford.

*M. Paris*, vol. v., pp. 695-698.

As the feast of S. Barnabas drew near, the magnates and nobles of the land hastened to the Parliament which was to be held at Oxford, and gave orders to all who owed them knightly service to accompany them equipped as though to defend them against the attacks of enemies. This they accordingly did, cloaking their coming in such guise, under the pretence that they might thus show their readiness to set out with their united forces against the king's enemies in Wales. They were in no slight fear that through the disagreement of parties, civil war would break out, and that the king and his Poictevin brothers would call in foreigners to aid them against his natural subjects; so the magnates, being forewarned, took precautions to have the sea-ports carefully guarded. On the opening of the parliament, the fixed plan and intention of the magnates was confirmed, by an express demand, that our Lord the king should faithfully keep and observe the charter of the liberties of England, made and granted by his father, king John, to his English subjects, and which he, the said John, had

ceeding; the result, however, was that he himself was excommunicated. Still he would not bestow the revenues of the church on unknown or unworthy persons, nor submit to the pope's will, and on his death-bed wrote a remonstrance to the pope begging him to moderate his tyranny. Cf. *M. Paris*, v. pp. 516, 522, 570, 586, 624, 653, and 639. Cf. also *Milman's Latin Christianity*, vol. vi., p. 323.



sworn to observe ; which charter moreover the said king Henry III. had many times granted and sworn to keep, and the violators whereof he had had excommunicated by all the bishops of England in his own presence, and that of the whole baronage, he himself joining in the sentence. They further demanded the appointment of a justiciar, who should do justice to all who suffer wrong, to the rich and poor alike. They also made certain requests touching the realm, and calculated to the common advantage, peace and honour of both king and kingdom. They asked our lord the king to guide himself by their counsel and necessary provisions, and constantly to seek their advice ; and giving their right hand to one another as a pledge of faith, swore that they would not fail to prosecute their design through loss of lands or money, nor through risk to the lives of themselves and their relations. On recognising this the king swore to second their designs, and Edward his son was bound by the same oath. However John, earl of Warrenne and the king's uterine brother, to wit the lord William de Valence and others, kicked against it. Orders were given that the ports of England should be more strictly guarded, and that the gates of London should be diligently closed at night and better fastened. Which made some one say :

*"Per noctes portae clauduntur Londoniarum,  
Moenia ne forte fraus frangat Francigenarum."*\*

\* Every night they firmly shut the gates of London town  
For fear the falsehood of the French should break its bulwarks  
down.

After prolonging their stay for several days, which they spent in discussing how to act in this difficult business of repairing the rents in the realm, they held a meeting at the house of the Friars Preachers. Then after renewing their league and reiterating their oath, they confirmed the design which they had conceived, that neither for life, death, or holdings, for hatred or for love, or for any cause whatever, would they be bent or weakened in their intent to regain praiseworthy laws, and to cleanse from foreigners this kingdom which is the native land of men of noble birth, and of their ancestors. And if any man, whatever he be, should kick against this, he was to be compelled to join them even against his will. Although our lord the king and his eldest son had taken the oath, the latter began so far as he could to draw back from it, which also did John, earl of Warrenne. Henry, the son of king Richard of Germany, wavered and said that he would never take such an oath without the leave and advice of his father. Whereon he was openly told that if his father would not give his agreement to the baronage, he should not possess a single furrow of land in England. The king's brothers moreover had sworn with undue insistence, by the death and wounds of Christ, that so long as they had breath they would never surrender the castles,\* revenues,

\* One of the first resolutions of the twenty-four was that the king should at once resume all castles and estates which had been alienated from the crown, and 19 barons, all Englishmen, were appointed their wardens. Cf. *Ann. Burton*, pp. 444-453.

or wardships which their brother the king had freely given to them, and this, although Simon earl of Leicester had without recompense yielded to the king his castles of Kenilworth and Oldham, which he had put in repair only a few days before. On their making this declaration with many unmentionable oaths, the earl of Leicester replied to William de Valence, who was blustering more than the others, "Verily thou mayest without doubt rest assured that thou shalt either surrender the castles thou hast of the king, or lose thy head." So also did the other earls and barons declare, and most firmly assert. Then were the Poitevins in no small fear, not knowing what to do, for if they betook themselves to any castle for concealment they would be closely besieged, and in lack of any means of defence would be starved out. For even if the nobles did not do so, the whole community of the people at large would besiege them and utterly destroy their castles. So they suddenly and secretly took to flight, while dinner was being prepared, and to prevent their intention being suspected professed a desire to be present at the dinner.\* As they fled they frequently looked back, and made some of their attendants ascend lofty towers to see if the barons were pursuing them. In their panic they did not spare the spur till they reached Winchester, and the sheltering wings of the bishop elect, in whom all their hopes reposed; more-

\* The date of this was June 22. *Ann. Burton*, p. 444; *Ann. Dunst.*, p. 209.

over they hoped to find a safe place of refuge in some of his castles.\* Meantime the nobles, now more firmly leagued together, appoint as justiciar a natural and freeborn Englishman, well skilled in the laws of the land, and an illustrious knight, namely, Hugh Bigot, the brother of the earl Marshal, who, whilst discharging the duties of justiciar with vigour, never admits a doubt as to the rights of the realm. When the nobles were informed of the flight of the Poitevins, they feared they might get to the sea coast and summon the Poitevins and other foreigners from over sea to their aid, so seeing that delay was dangerous they gave strict orders to all their followers and partisans to fly to arms and to horse with all haste. Thus ended the parliament of Oxford without any fixed and definite conclusion.

**1258.—Petition of the barons at the parliament of Oxford.†**

*Burton Annals*, Rolls Series, p. 439.

3. Also the barons petition to have custody of the land and holdings of those who are of their fiefs, and of the heirs thereof up to a lawful age; so that the king have the right of marriage and custody of the person in his power; and this they seek of the common law.

\* They were besieged in the bishop's castle at Winchester, and after some ignominious negotiations capitulated July 5, and left England July 14, carrying off only 6000 marks of their enormous treasure. Cf. *Foed*, i. 374-377; *Ann. Burton*, p. 445.

† The more important articles, as showing the public grievances, rather than those of a class, are given.

4. Also they petition that the king's castles be committed to the keeping of faithful men, and those born in England, on account of many events which may happen in the realm.

5. Also they ask that the king's castles, which are over the sea ports where ships may come, be committed to faithful men born in England, on account of the many perils which may arise if they are committed to others.

6. Also they ask concerning the marriages\* belonging to the king that they be not married where they be disparaged, that is to men who are not of the English nation.

7. Also they seek remedy because the woods and lands not within the forest boundaries, which by the perambulation of honest men, and on account of the grant of a 14th part of all the goods of Englishmen by the king, were disafforested, the king has at his own will reafforested.†

\* The feudal right to be consulted as to the marriage of an heiress (an obvious necessity, lest the land which owed service to a certain lord should pass by marriage into the hands of his enemy), gradually extended to the right to offer a husband to an heiress, was much abused by the kings for the purpose of enriching needy adventurers in their own service. The right was also stretched to include the giving wives to male heirs, by a strained construction of ch. 6 of Magna Carta, and as exercised by Henry III. became an intolerable grievance.

† The enlargement of the forest boundaries had been a constant source of complaint since the Conquest. Henry I. promised to restore the land added to the forest by Rufus, but did not keep his promise, and added more himself. Stephen promised to give up what Henry I. had added. Henry II. by

(Chs. 8 and 9 deal with the same subject.)

10. Also they seek remedy that religious do not enter upon the fiefs of earls or barons, or others without their will, whereby they lose for ever wardships, marriages, reliefs, and escheats.\*

12. Also they seek remedy for this, that the lord king sometimes gives to many persons by charter the rights of others, saying that they are his escheats, whence such persons say that they ought not and cannot answer without the king. And when the justices show this to the king, there is no justice done in the matter.

13. Also they seek remedy because when the earls and barons have lands in many shires, and the king's justices are in eyre at one time in all the said shires to hold the pleas for all pleas, and concerning the forest at the same time and once for all, and unless the said earls and barons appear before them on the first day of the general summons, they are fined at the king's will for their absence, except they bear the king's writ of acquittance.

15. Also they ask that no one fortify a castle at a sea port, or on an island enclosed, save by the

means of a minutely organised system of forest jurisdiction, and the constant watchfulness of his officers, added still more. Richard and John then continued the encroachments. The forest charter of 1217 ordered the restoration of the later additions to the forests, but was not observed.

\* Here we have the germ of the mortmain legislation which becomes so important from the reign of Edward I. onwards. This follows on art. 43 of the charter of 1217.

consent of the council of the whole kingdom of England, because many perils may arise therefrom.

16. Also concerning the firms of the sheriffs and other free bailiffs, who hold the shires and other bailliwicks at firm, who also hold their shires at so high a firm that they cannot thence raise the said firm ; nor do they fine men according to the amount of their guilt, but compel them to ransom beyond their power.

22. Also concerning the king's prises in fairs, markets, and cities ; *i.e.* that those who shall be assigned to take the said prises, shall take them reasonably, that is as much as pertains to the said uses of the lord king ; whence they complain that the said collectors take double or treble what belongs to the king's uses, for they take all the surplus to their own use or the use of their friends, and then sell a part.

23. Also they complain that the king makes hardly any payment for his prises, whereby many merchants of the realm of England are beyond measure impoverished, and other merchants, foreigners, for that reason cease to come into the land with their wares, whence the land incurs great loss.

25. Also they seek remedy for this, because the Jews sometimes transfer their debts and the lands pledged to them to the nobles and more powerful people of the realm, who enter, in consequence, upon the lands of the lesser people ; and although those who owe the debt are prepared to discharge it with interest, the said nobles put off

the business, so that the said lands and holdings may in some way or other remain with them, saying that without the Jew, to whom the debt was owed, they neither know nor can do anything; and always put off the discharge of the said money, so that, in case of death or any other accident, evident peril and manifest disinherittance hangs over those whose the said holdings were.

26. Also they seek remedy concerning the Christian usurers, the Caursines, who live in London, when it seems contrary to the Christian religion to maintain or cherish any such, at least after they have assumed the name of Christian. And especially because through their usuries many are impoverished and destroyed; and also they seize and sell much merchandise coming towards London, by sea as well as by land, to the great hurt of merchants and all others of the said city, and to the great loss of the king, since when the king tallages the said city in no way do they share or will they share in with the aforesaid citizens in giving tallages and other aids to the king.

### The provisions of Oxford.

*Robert of Gloucester*, Rolls Series, ed. W. Aldis Wright,  
vol. ii., p. 732.

The most woe that here fell by \* king Henry's day  
In this land, I will begin to tell if I may.

\* Befell in.



He had three brethren, that his mother's sons were,  
And the king of Alimaine, the fourth, that too high  
them bare.

Eke sir William de Valence and sir Aymer thereto,  
Elect of Winchester, and sir Guy de Lisewi also.  
Through them and through the queen was so much  
French folk brought,  
That of Englishmen men told as right nought.  
And the king them let their will,\* that each was as  
king,

And took poor men's goods, and paid nothing.  
To any of these brethren if there plained† any wight  
They said, "If we do you wrong, who shall you do  
right?"

As who said‡ "We are kings, our will we may do,"  
And many English, alas, held with them also.  
So that, through God's grace, these earls at the last,  
And the bishops of their land and barons bespake  
it fast

That the kind|| Englishmen of the land they would  
out cast,

And their land bring down, if their power last.  
Thereof they took counsel, and to the king they sent,  
To have pity of his land and such manners amend.  
So that at last they brought him thereto,  
To make a purveyance, amendment to do.

\* Allowed them to do as they liked.

† Complained.

‡ As much as to say.

|| Native.

Made it was at Oxford this land for to set  
 Twelve-hundred, as in year of grace, and fifty-eight.  
 Right about mid-summer, fourteen nights it last.\*  
 The earls and the barons were well stedfast,  
 For to amend the land, as the earl of Gloucester,  
 Sir Richard, and sir Simon earl of Leicester,  
 And sir John le-fitz-Geffray, and other barons enow,  
 So that at the last the king thereto they drew,  
 To remove the Frenchmen to live beyond the main,  
 By their lands here and there, and come not again ;  
 And to grant good laws, and the old charter also,  
 That so oft was granted ere, and so oft undo.†  
 Hereof was the charter made and sealed fast there  
 Of the king and of other high men that there were,  
 Then took the bishops tende‡ tapers in their hand,  
 And the king himself and other high men of the  
 land,  
 And the bishops amansed|| all that them against  
 were,  
 And ever after undid the laws that locked were there,  
 With burning tapers ; and further, at the last,  
 The king and others said Amen, and their tapers  
 down cast,  
 To confirm the mansing,§ and then thought it stable  
 enow.

\* The discussion lasted 14 nights.

† Undone.

‡ Lighted.

|| Excommunicated all that opposed or in the future should  
 undo the laws that were fixed there.

§ Excommunication.

Thereafter each, as in peace, towards his own drew,  
And the king's three brethren, and other French  
there

Fled, and thought it all too long that they in this  
land were.

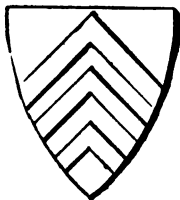
**1258, June.—The provisions of Oxford.**

*Burton Annals, Rolls Series, p. 446.*

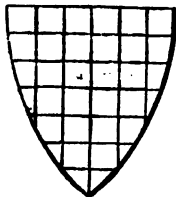
(After the provision for the holding of the county courts before the justice by presentation of plaints through four discreet and lawful knights elected in each shire, there follow the ordinances for the general government of the realm. A commission of 24, perhaps suggested, says Dr. Stubbs, by the precedent of Magna Carta, was appointed, 12 persons being nominated by the king and 12 by the community of the barons.)

*Elected on the part of the king.*

The lord bishop of London, the lord bishop elect of Winchester, lord Henry, son of the king of Almaine, John the earl of Warenne, lord Guy de



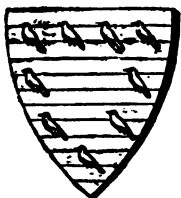
ARMS OF RICHARD DE CLARE.  
Earl of Gloucester.



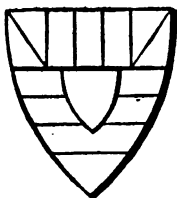
ARMS OF EARL WARRENNE.

Lusignan, lord W. de Valence, John earl of Warwick, sir John Mansel, brother John Darlington,\* the abbat of Westminster, sir H. de Hengham.†

*Elected on the part of the earls and barons.*



ARMS OF WILLIAM OF VALENCE.  
Earl of Pembroke.



ARMS OF MORTIMER.

The lord bishop of Winchester, Simon earl of Leicester, Richard earl of Gloucester, Humfrey earl of Hereford, Roger Marshal, Roger de Mortimer, John Fitz-Geoffrey, Richard de Gray, William Bardulf, Peter de Montfort, Hugh Despenser.

And if it happen that any of them of necessity cannot be present, the rest shall choose whom they

\* Afterwards archbishop of Dublin.

† Or Wengham, keeper of the seal. The twelfth, whose name is omitted, was probably Boniface abp. of Canterbury.

will, that is, another, in the place of him who is absent, for the performance of the business.

*This the commonalty of England swore at Oxford.*

We, so and so, make known to all men that we have sworn upon the holy Gospels, and are held together by such oath, and promise in good faith that each one of us and we all together will mutually aid each other, both ourselves and those belonging to us, against all people, doing right and undertaking nothing that we cannot, without doing mischief, saving faith to the king and the crown. And we promise under the same oath that we will not henceforth take from each other land or moveables by which this oath can be distributed or in anyways impaired. And if anyone acts against this, we will hold him as a mortal enemy.

*This is the oath of the twenty-four.*

Each swore on the holy Gospels that he, to the honor of God, and to his faith to the king, and to the profit of the realm, will ordain and treat with the aforesaid sworn persons upon the reformation and amendment of the state of the realm. And that he will not fail for gift, nor for promise, for love, nor for hate, nor for fear of any one, nor for gain, nor for loss, loyally to do according to the tenour of the letter which the king and his son have together given for this.

*This the chief justice of England swore.*

He swears that he will well and loyally, according to his power, do that which belongs to the justiciar of right to hold, to all persons, to the profit of the king and kingdom, according to the provision made and to be made by the twenty-four, and by the counsel of the king and the great men of the land who will swear in these things to aid and support him.

*This the chancellor of England swore.*

That he will seal no writ, excepting writs of course, without the commandment of the king and of his council who shall be present. Nor shall he seal a gift of a great wardship, or of a great [        ],\* nor of escheats, without the assent of the great council or of the major part. And that he will take no fee otherwise than what is given to the others. And he shall be given a companion in the form which the council shall provide.

*This is the oath which the guardians of the king's castles made.*

That they will keep the castles of the king loyally and in good faith for the use of the king and of his heirs; and that they will give them up to the king or to his heirs, and to none other, and by his counsel and in no other manner, to wit, by honest

\* A blank space in the MS.

men of the land elected as his council, or by the major part. And this form by writ lasts for twelve years. And from that time forward, by this settlement and this oath, they shall not be hindered so that they cannot freely give them up to the king and his heirs.

*These are those who are sworn of the king's council.*

The archbishop of Canterbury, the bishop of Worcester, the earl of Leicester, the earl of Gloucester, the earl Marshal, Peter of Savoy, the count of Aumale, the earl of Warwick, the earl of Hereford, John Mansel, John Fitz-Geoffrey, Peter de Montfort, Richard de Gray, Roger de Mortimer, James of Aldithley.

The twelve on the king's side have elected out of the twelve on that of the commonalty the earl Roger the Marshal and Hugh Bigot.

And the party of commonalty have elected out of the twelve who are on the king's side the earl of Warwick and John Mansel.

And these four have power to elect the council of the king, and when they have elected them they shall present them to the twenty-four; and there, where the greater part of these agree, it shall be held.

*These are the twelve who are elected by the barons to treat at the three parliaments by year with the king's council for all the commonalty of the land of the common need.*

The Bishop of London, the earl of Winton, the earl of Hereford, Philip Basset, John de Balliol, John de Verdun, John de Gray, Roger de Sumery, Roger de Montalt, Hugh Despenser, Thomas de Gresley, Giles d'Argentine.

*These are the twenty-four who are appointed by the commonalty to treat of aid to the king.*

The bishop of Worcester, the bishop of London, the bishop of Sarum, the earl of Gloucester, the earl of Leicester, the earl Marshal, Peter of Savoy, the earl of Hereford, the count of Aumâle, the earl of Winton, the earl of Oxford, John Fitz-Geoffrey, John de Gray, John de Balliol, Roger de Mortimer, Roger de Montalt, Roger de Sumery, Peter de Montfort, Thomas de Gresley, Fulco de Kerdiston, Giles d'Argentine, John Kyriel, Philip Basset, Giles de Lidinton.

And if any one of these cannot or will not serve, those who shall be there have power to elect another in his place.

*Of the state of Holy Church.*

Be it remembered that the state of the Holy Church be amended by the twenty-four elected to reform the state of the realm of England, when they shall see place and time, according to the power which they have respecting it by the letter of the king of England.

*Of the chief justice.*

Moreover that a justice be appointed, one or two, and what power he shall have, and that he be only



for a year. So that at the end of the year he answer concerning his time before the king and his council, and before him who shall follow him.

*Of the treasurer and of the exchequer.*

The like of the treasurer. That he too give account at the end of the year.

And other good persons are to be placed at the exchequer according to the direction of the aforesaid twenty-four. And there let all the issues of the land come, and in no part elsewhere. And let that which shall seem to require amendment, be amended.

*Of the chancellor.*

The like of the chancellor. That he at the end of the year answer concerning his time, and that he seal nothing out of course by the sole will of the king. But that he do it by the council which shall be around the king.

*Of the power of the justice and bailiffs.*

The chief justice has power to amend the wrongs done by all other justices and bailiffs, and earls, and barons, and all other people, according to the law and justice of the land. And let the writs be pleaded according to the law of the land, and in fit places. And that the justice take nothing unless it be presents of bread and wine, and such things, to wit, meat and drink, as have been used to be brought to the tables of the chief men for the day. And let this same thing be understood of all the king's councillors and all his bailiffs. And that no bailiff

by occasion of plea or of his office, take any fee in his own hand, or through the agency of another in any manner. And if he is convicted, that he be punished, and he who gives likewise. And if it be fitting, that the king give to his justiciar and his people who serve him, so that they have no occasion to take anything elsewhere.

*Of the Sheriffs.*

Let there be provided as sheriffs, loyal people, and substantial men and land tenants; so that in each county there be a vavasour of the same county as sheriff, to treat the people of the county well, loyally and rightfully. And that he take no fee, and that he be sheriff only for a year together; and that in the year he give up his accounts at the exchequer, and answer for his time. And that the king grant unto him out of his own, according to his contribution, so that he can guard the country rightfully.

And that he take no fee, neither he nor his bailiffs. And if they be convicted, let them be punished.

Be it remembered that such amendment is to be applied to the jewry and to the wardens of the jewry, that the oath as to the same may be kept.

*Of the escheators.*

Let good escheators be appointed; and that they take nothing of the effects of the dead, of such lands as ought to be in the king's hand. Also that the escheators have free administration of the goods until they shall have done the king's will, if they owe

him debts. And that, according to the form of the charter of liberty.

And that inquiry be made into the wrongs done, which the escheators have done there aforetime, and amendment be made of such and such. Nor let tallage on anything else be taken, excepting such as ought to be according to the charter of liberty. Let the charter of liberty be kept firmly.

*Of the exchange of London.*

Be it remembered to amend the exchange of London, and the city of London, and all the other cities of the king which have gone to shame and destruction by the tallages and other oppressions.

*Of the place of reception of the king and queen.*

Be it remembered to amend the hostelry of the king and queen.\*

*Of the parliaments, how many shall be held by year, and in what manner.*

It is to be remembered that the twenty-four have ordained that there be three parliaments a year. The first at the octave of S. Michael. The second the morrow of Candlemas. The third the first day of June, to wit, three weeks before S. John. To these three parliaments the elected councillors of the king shall come, provided they are not sent for, to see the state of the realm, and to treat the

\* This is the translation given by Dr. Stubbs in the Select Charters; but it seems at least possible that a reform of the royal household is intended.

common wants of the kingdom, and of the king in like manner. And other times in like manner when occasion shall be, by the king's command.

So it is to be remembered that the commonalty elect twelve honest men, who shall come at the parliaments and other times when occasion shall be, when the king or his council shall send for them, to treat of the wants of the king and of the kingdom. And that the commonalty shall hold as established that which these twelve shall do. And that shall be done to spare the cost of the commonalty.

There shall be fifteen named by these four, to wit, by the earl Marshal, the earl of Warwick, Hugh Bigod, and John Mansel, who are elected by the twenty-four to name the aforesaid twenty-four, or by the major part of them. And they shall have power to counsel the king in good faith concerning the government of the realm, and all things which appertain to the king or kingdom; and to amend and redress all things which they shall see require to be redressed and amended. And over the chief justice and over all other people. And if they cannot all be present, that which the majority shall do shall be firm and established.

*These are the names of the principal castles of the king,  
and of those who have them in keeping.*

Robert de Neville, Bamburg, Newcastle-upon-Tyne.  
Gilbert de Gant, Scarborough.

William Bardulf, Nottingham.

Ralph Basset de Sapercot, Northampton.

Hugh Bigot, Tower of London.

Richard de Gray, Dover.

Nicholas de Moules, Rochester and Canterbury.

———— Winchester.

Roger de Samford, Porchester.

Stephen Longsword, Corfe.

Matthew de Besill, Gloucester.

Henry de Tracy, Exeter.

Richard de Rochele, Haldesham

John de Gray, Hereford.

Robert Walrant, Sarum.

Hugh Dispencer, Horsham.

Peter de Montfort, Bridgewater.

Earl of Warwick, Devizes.

John Fitz-Bernard, Oxford.

**1258, July 22.—The Londoners agree with the barons.**

*M. Paris*, vol. v., p. 704.

On the feast of S. Mary Magdalene, special messengers were sent to London on behalf of the whole community of the kingdom of England, and there summoned all those citizens who are styled barons, to meet in the Guildhall; and then they inquired whether they were willing to faithfully observe the statutes of the barons, and adhering firmly to them, and render them effectual assistance, and firmly resist their opponents. To this they all willingly agreed, and in confirmation drew up their charter under the common seal of the city. They did not, however, intend as yet to publish the statutes

which had been made ; for the illness of the earl of Gloucester, due, as is commonly reported, to a dose of poison, had caused them all great alarm.\*

**1258, July.—An interview between Henry and Simon de Montfort.**

*M. Paris*, vol. v., p. 707.

The fears and anxieties of the barons were increased by the coming of the month of July with its pestilence-bearing lion and scorching dog-star, whose deadly barking usually disturbs the atmosphere. More than by all else were they alarmed at the fickleness and inscrutable duplicity of the king, which they discovered from a certain ominous speech. One day he had left his palace at Westminster and gone down the Thames in a boat to take his dinner out of doors, when the sky clouded over and a thunder-storm came on, attended with lightning and heavy rain. Now the king feared a storm of this kind more than any, so he directed them to land him at once ; and the boat was opposite to the stately palace of the bishop of Durham, where the earl of Leicester was then staying. On knowing of his arrival the earl goes gladly to meet him, and greeting him with respect as was proper, says by way of consolation : " What is it that you fear ? The storm is now passed." To this the king, not in jest but seriously, answered with a severe look, " The thunder and lightning I fear beyond measure, but by the

\* The Poitevins were thought to have poisoned him, and many other nobles, though it was not clear how. Cf. v., p. 705.

Head of God, I fear thee more than all the thunder and lightning in the world." The earl gently replied, "Mr lord, it is unjust and incredible that you should fear me your firm friend, who am ever faithful to you and yours, and to the kingdom of England; it is your enemies, your destroyers, and false flatterers that you ought to fear." Every one suspected that these astounding words broke from the king, because the earl of Leicester manfully and boldly persevered in carrying out the provisions, under which they were to compel the king and all their opponents to assent to their plans, and utterly banish his brothers who were corrupting the whole kingdom.

**1259, January 13.—King Richard and the barons.\***

*M. Paris*, vol. v., pp. 732-736.

About S. Hilary's day, after holding a council concerning the coming of king Richard of Germany to England, the barons sent special messengers,† who were to satisfy themselves about the cause of his sudden and unexpected arrival, and the length of his proposed stay in England. Many wondered that earl Simon still stayed on the Continent,‡ and so caused a great loss of counsel to the baronage. For

\* This passage is abridged.

† The bishop of Worcester, Abbat of S. Edmund's, Peter of Savoy, and John Mansel.

‡ Earl Simon had gone to France in Nov., 1258, to conduct the negotiations with Louis IX.

they feared that the king, though outwardly of a calm countenance, would complain to his brother, the king of Germany. So the magnates of England proposed to take an oath of the king of Germany, before he landed, that he would do no harm to the kingdom of England, nor in any way hinder the common provision. But what profit would there be herein? Haply he would say hereafter that he had taken the oath under compulsion, and against his will.

The king\* hastened towards the sea coast, and with him went a great number of magnates, who by way of caution were well armed and mounted. For it was reported that king Richard proposed to bring back one or more of his brothers, and so restore them to their former position, which the barons could ill bear.

The king of Germany, who was waiting on the other side of the sea, and collecting a strong and numerous army, answered the messengers, swearing by the throat of God and saying, "I will not take the oath which you require, nor inform you of the period of my stay in England. I have no peer in England, seeing I am son of the late and brother of the present king, and earl of Cornwall. If therefore the nobles of England wished to reform the state of the realm, they ought to have summoned me, and should not in impetuous daring have approached so difficult a matter without my knowledge or presence."

\* The heading of this chapter is *Rex venit in occursum ejus et cum eo plures armis praemuniti eo nesciente.*



One of the messengers wished, had not a colleague restrained him, to have answered, "We often appointed thee our leader in the reformation of the realm, but through avarice thou hast endeavoured to entrap us with cunning surprises, when we were endeavouring to better the state of our lord the king and the kingdom; and so the king withdrawing from his wholesome intention, has afterwards injured all whom he could." When the nobles in England learnt the result of the mission, they ordered as many vessels as possible to be assembled from the Cinque Ports and other places; and as they had taken the precaution to provide themselves with arms, boldly prepared to meet the enemy. On hearing of this king Richard yielded to the advice of common friends, and agreed by charter to take the oath.

On S. Julian's day king Richard and his queen landed at Dover with a small retinue.\* On the following day the magnates of England entered the chapter-house of Canterbury, respectfully escorting the kings of England and Germany, and had the text of the Gospel placed on the pulpit. Then Richard earl of Gloucester stood forth in the midst and in a loud but respectful voice summoned the earl of Cornwall, addressing him not as king of Germany, but by his own name of Richard earl of Cornwall, who in obedience approached, and boldly and distinctly took the following oath:—

"Hear ye all, the oath which I now swear on the Holy Gospels. I, Richard earl of Cornwall, will be

\* Her brothers were left behind.

faithful and diligent in reforming with you the kingdom of England, in the past too much deformed by the counsel of evil men. And I will be your effectual ally in expelling all rebels and disturbers of the said kingdom. This oath will I inviolably observe on pain of losing all the lands which I have in England," and when all said, "It suffices, he is sufficiently bound to keep faith with us," the earl of Gloucester answered, "Inasmuch as we were often injured beyond measure in such cases, and as he who has once been scalded, always dreads boiling water, I am by no means assured that we have not done too little, which Almighty God forefend."

**1259, Feb.—Quarrel between Richard de Clare  
and Simon de Montfort.**

*M. Paris*, vol. v., p. 744.

At this time, while provision was being made with all diligence for passing wholesome statutes, and while parliament was suspended, some angry words passed between the earls of Gloucester and Leicester; so that the latter, being stirred to wrath with the other earl for wavering\* in their common design, addressed him in this manner: "I care not to live or hold converse with men so fickle and false as thee. For we have made a promise and oath to one another in these matters whereof we are treating. And as for thee, my lord earl of Gloucester, the

\* Popular opinion already pointed to the earls of Gloucester and Norfolk as waverers. Cf. the lines in Wright's *Political Songs* (Camden Society), pp. 122, 123.

more thou dost excel all men in rank, the more art thou bound by wholesome statutes"; and with this he shortly left England. When the earl of Hereford, the other nobles, and their compeers heard of this, they intimated that it was through him that the earl of Leicester had been estranged, and that he ought to be recalled as quickly as possible, and never provoked by such wrongs, but should be pacified and support his colleagues; and that he (the earl of Gloucester) ought faithfully to acquiesce in their statutes and oaths by observing them, and that he ought, in accordance with them, to correct abuses in his lands; and if he did not, then they would all join in an attack on him. This frightened the earl, who sent his seneschal Herwens throughout his lands to see that the right was held as had been resolved and agreed, and all things are done with delay in accordance with the form of the new promise. Thus the storm was in the main appeased; and, though the earl of Leicester still remained in foreign parts, through this amendment men gathered more confidence about his happy return.

1259.\*—Dissensions among the barons.

*W. Rishanger, Chron. bell. Lewes, Camden Soc., p. 18.*

(Translation by Mr. Gairdner, *Chroniclers of England*, p. 261, inserted here by his kind permission.)

\* This date seems more fitting than the later one to which it is assigned by Mr. Wright, *Political Songs*, Camden Society, p. 121.

“ O mourn and weep, sad England, for, full of heavy  
woe,  
Thou but beholdest miseries which daily bring thee  
low.

If Christ do not regard thee now, as He is wont to do,  
Thy name will be a mockery to every haughty foe.

“ Full many a pledge thy sons have given to keep  
thee safe and free,  
But now too little they regard the word they swore  
to thee ;  
For some who well could aid thee reck not what thy  
dangers be,  
And some evade their promise and escape beyond  
the sea.

“ Hence others have begun to raise contention in  
the land,  
And those take sides who ought to join together,  
hand in hand ;  
Nor seek they peace and concord, but against each  
other band,  
But how to end the things begun they cannot  
understand.

“ So languishes our common weal, the land is desolate,  
And foreigners grow mighty on the ruin of our state.  
Our native Englishmen are scorned as men of low  
estate,  
And still must bear with injuries that no tongue dare  
relate.

"The soldier and the churchman both are dumb as  
any stone ;

The right of speaking freely is for foreigners alone.  
Not two among a hundred of us English hold our own,  
And all that we attain is grief and shame and bitter  
moan.

"O Gloucester's earl, it is for thee the noble work  
to achieve,

Which was thine own beginning ; else thou many  
shalt deceive.

Go, manfully redeem thy pledge, and let us still  
believe

The cause which took its source from thee shall  
strong support receive.

"Or if (which God forbid!) thy hand, thou seek  
now to withdraw,

A traitor to thy own loved land as never England saw,

. . . . .

"Earl Simon, too, of Montfort, thou powerful man  
and brave,

Bring up thy strong battalions thy country now to save.  
Be not dismayed by menaces of terror of the grave.  
Defend with might the public cause ; naught else  
thine own needs crave.

"And thou, earl Bigod, keep thy word, and lend a  
helping hand,

As thou a doughty soldier art, well fitted to command,  
'Tis but a petty rout of dogs in turmoil keeps the land.  
Drive out or quell the cursed race with thy victorious  
band.

“Great nobles who have pledged your faith, as ye  
are English lords,  
Keep firmly to your plighted troth, defend it with  
your swords.  
If aught the land may profit by your counsels and  
accords,  
Let that be done and quickly which ye have ordained  
in words.  
“If that which ye have now begun ye steadfastly  
maintain,  
The object ye so much desire ye surely may obtain.  
Of long deliberation unless an end ye gain,  
It truly may be said of you, your labour was in vain.  
“To you the highest honour will redound, when  
all is o’er,  
If bearing your devices, England freely breathe once  
more,  
And may God Almighty’s mercy from the plague she  
suffers sore,  
Soon redeem our wretched country, and sweet peace  
to her restore.”

**1259.—Sir Edward and the bachelery.\***

*Burton Annals*, Rolls Series, ed. Luard, p. 471.

On the feast of S. Edward (Oct. 13) which was royally celebrated by the king at Westminster, the community of the bachelery of England signified to sir Edward the king’s son, to the earl of Gloucester, and to the others sworn to the counsel of Oxford,

\* Bachelery.—Perhaps, the knights, or, more probably, energetic young reformers dissatisfied with the barons.

that the lord king had wholly done and fulfilled all and each of the things which the barons had provided and put on him to do; and that the barons had done nothing to the profit of the commonwealth as they had promised, but to their own good and the king's hurt everywhere, and that unless some amendment was made therein another resort should reform the past. Sir Edward instantly answered for himself that the oath which he had made at Oxford he had made unwillingly, but that he was not therefore unprepared to stand willingly to his oath, and to expose himself to death for the community of England, and for the profit of the commonwealth according to the oath at Oxford; and he straitly ordered the barons who were sworn to the counsel that unless they fulfilled their oath aforesaid he himself would stand to the death with the community, and have the promises fulfilled. The barons then seeing that it were better that they should fulfil what was promised rather than others, caused their provisions to be publicly promulgated.

**1259, October.—The provisions of Westminster.**

These provisions, produced by the barons in response to the demand of Edward and the bachelery, were very largely concerned with matters of feudal interest, and afforded but slight clue to the methods of general government which the barons intended to pursue. The more important articles are directed to the control of the sheriff's powers. The provisions were republished by the king in 1262, and during his captivity in 1264, and were embodied in the statute of Marlborough 1267.

*Burton Annals, Rolls Series, p. 689.*

4. Concerning the sheriff's tourn it is decreed that the archbishops, bishops, abbats, priors, earls, barons, religious men or women shall not of necessity attend unless their presence is especially required ; but the tourn shall be held as it used to be held in the times of the king's predecessors. And if any have holdings in divers hundreds they shall not of necessity come to the tourn save within the jurisdiction where they live, and the tourns shall be held according to the form of the great charter, and as they were held in the times of kings John and Richard.

14. It shall not be allowed to religious men to enter upon the fief of anyone without the leave of the chief lord, from whom the estate itself is held immediately.\*

16. No one for the future save the king shall hold a plea in his court concerning false judgment given in the court of his tenants, because such pleas belong especially to the crown, and to the dignity of the king.

22. The *Murdrum*† shall not for the future be adjudged before the justices where misadventure only is adjudged ; but *Murdrum* shall have place in the case of those feloniously slain and not otherwise.

24. If a clerk should be arrested for any crime or accusation which pertains to the crown, and after-

\* Cf. ch. 10 of the petition of the barons above, p. 77.

† The fine levied on the hundred in which the body of a murdered man who could not be proved to be of English race was found continued long after the original cause had ceased, and the races were indistinguishable. See *Dialogus de Scaccario*.



wards be taken in charge by the king's order, or remanded under surety, so that they to whom he is given in charge should have him before the justices, they to whom he be given in charge shall not hereafter be fined if they have his body before the justices, although he will not and may not answer before them on account of his privilege of clergy.

**1259.—King Henry compounds with the king of France concerning his lands over the sea for money.**

*W. Rishanger, Chronica*, Rolls Series, ed. Riley, p. 1.

In the year of grace 1259, the king of the English, Henry, the third since the conquest, in the forty-third year of his reign, crossed over to Gaul and sought from the king of the Franks restitution of the lands unjustly taken from him and from his father John, by the grandfather of the said king of France, Philip, and his father Louis, and by himself still unjustly retained. But when the Gauls alleged many things against the king of England, and especially that the ancient rule of Normandy was not free but was at first extorted by force by duke Rollo from the king of the Franks, and as the king had not courage to recover his lost possessions, nor money to collect an army, and especially since he saw that his own subjects were on the point of rising against him, he accepted the following terms of peace, being in a measure compelled thereto: *i.e.*, that the duchy of Normandy and county of Anjou should remain in peace with the king of France, for which the king

should pay him 300,000 small pounds of Tours; and he further promised the restitution of lands in Gascony, to the annual value of 20,000 pounds. By which covenant he resigned fully and freely all lands then in the hands of the king of France. And thenceforward he shortened his title, calling himself no more duke of Normandy or count of Anjou.

**1261.—The king takes refuge in the Tower.**

*W. Rishanger, Chron., Rolls Series, p. 7.*

In the year 1261 the king was at Christmas at Windsor with the queen. He was turned aside, by evil counsel, from the compact which he had made with barons and now thought to show his anger openly. Wherefore he shut himself in the Tower, broke open the fastenings of the treasure therein stored of old and consumed it. Moreover, he collected workmen who repaired the said Tower and greatly strengthened it in suitable places. Further he commanded the city of London to be guarded all round with bolts and bars, and having assembled all in the city, from twelve years old and upwards, he made them swear to preserve their allegiance to him, a herald at the same time proclaiming that those who would fight for the king should come forward at once and should be supported at his expense. When they heard this, the barons assembled from all quarters with great hosts of soldiers, and were billeted outside the walls, lodging within the city being straitly denied them.

**Ambassage from the barons to the king.***Ibid.*, p. 8.

At the same time a papal letter of absolution for the king was obtained, and for Edward, his son, from the oaths they had taken. But Edward would not accept the absolution, the king persisting in his obstinacy. When the barons heard that the king was thus absolved they sent envoys and humbly asked him to observe inviolably the oaths which he had taken in common with them, and if anything displeased him show it to them that they might amend it. But he, in no way acquiescing, harshly and threateningly answered that as they had fallen off from the convention he could no longer agree, but each should provide for his own defence. At length, by the mediation of some, the matter was arranged so that two should be chosen (one of the king's part and one of the barons), who should take to themselves a third, and, having heard the complaints, should arrange a firm peace.

**1261, March 14.—Arbitration between Henry and Simon.***Royal Letters*, Rolls Series, p. 168.

Know all who shall see these letters, that as to all the contentions and all the demands which we Henry, by the grace of God king of England, lord of Ireland, and duke of Aquitaine, have or can have by whatever cause or occasion, up to this day, against Simon of Montfort, earl of Leicester, and against Eleanor our sister, countess of Leicester, his wife, or

they against us, and as to all the contentions, and all the demands which we, the earl and countess of Leicester aforesaid, have or can have, by whatever cause or occasion, up to this day, against our lord the king of England aforesaid, or he against us: We, Henry, by the grace of God king of England, and we Simon of Montfort and Eleanor, earl and countess of Leicester aforesaid, have put ourselves on our lord Louis, by the grace of God king of France, and do promise in good faith to keep, high and low, whatever he shall decide thereon, and grant that he shall have power to constrain us to keep his decision.

And if our lord the king of France wills it, each of us will send him one of our servants to certify him of these things.

And if our lord the king of France aforesaid will not take this mise on himself, we will and grant that he may put in his place, so far as to supply this need, our lady the queen of France and lord Piers le Chambellan, in the same form as is above written; and whatever they shall agree to decide, we will hold firmly, high and low, and grant that our lord the king of France may constrain us, if need be, to hold whatever they shall agree to decide. And by the king of France, if he takes this mise on himself, or if he puts it on our lady the queen of France and our lord Piers le Chambellan, let it be provided how that which they shall decide shall be established and kept by the aforesaid countess, if she shall survive the earl her lord, and if it happen that the

aforesaid king of France will not charge himself with this mise, nor put it upon our lady the queen of France and on lord Piers le Chambellan, or they themselves will not take it upon them, or if our lady the queen of France and lord Piers le Chambellan shall not be agreed in their said decision, then shall the affairs be at the point where they are now. And be it known that the powers of the arbiters above named, if they take the mise upon them, shall last till Michaelmas in any case; but if the king of France our lord sees that it be good, we will and grant that he shall have power to prolong the term to the feast of S. Andrew next. And if by that time their decision be not given, then let the affairs be at the point where they are now, and this mise be null.

And in the witness of these things, we the aforesaid king of England and the earl and countess of Leicester have set our seals to these letters patent.

This was done at London the fourteenth day of March, the year of the incarnation of our Lord, the thousand, two-hundred and sixtieth (sixty-first).\*

### 1263.—The beginning of the struggle.

*Robert of Gloucester, Rolls Series, ii. 736.*

In this manner the barons began their running.†  
A French knight was at Gloucester, the sheriff of the king,  
Sir Maci de Besile, and constable also.

\* Four documents relating to the pleadings submitted to S. Louis in 1261 are published by M. Bémont, *Simon de Montfort*, pp. 332-357.

† Attack.

The barons it bespake that it was not well ido,\*  
Against the purveyance,† and would have Frenchmen  
none.

Another sheriff they made, through common counsel  
each one.

A knight of the country, sir William Traci;  
And from that office clean pulled out sir Maci.  
But sir William a shire‡ held on a Monday;  
Sir Maci came armed, as many men say.

With power sent from the court, armed well enow,  
And even as the shire sat, to the town's end him  
drew.

They alighted with drawn swords, with maces many  
a one,

And with many a hard stroke they roomed|| their  
way anon,

Till they came up to the dais, and the sheriff fast,  
And by the head they caught him anon, and to the  
ground him cast.

And hauled him forth vilely, with many a stroke  
among,§

In a foul puddle in the street further¶ men him  
flung,

\* Done.

† The barons declared that it was done wrongly, being  
against the provisions.

‡ The shire moot. So *Comitatus* is used both for the county  
and the county court.

|| Forced, by making room for them with their swords.

§ Giving him among them many a stroke.

¶ Afterwards.

And run upon him with their horses, and defouled  
 him fast,  
 And behind a squire further vilely him cast,  
 And to the castle him led throughout the town,  
 That ruth it was to see, and cast him in prison.  
 When the tidings hereof came to the barony  
 They thought in time to amend such villany;  
 So that sir Roger de Clifford and sir John Giffard  
 nome\*

Great power in summer and to Gloucester come.  
 They sent to sir Maci that he the castle (yield) should  
 To them and to the barony or they him take would.  
 Sir Maci to them sent again that the king him gave  
 before

This castle (to) him to lock with true oath yswore†  
 That he no traitor would be, nor the castle ever  
 yield

But to the king or his son the while he it might  
 wield.†

He had within little folk the castle to defend,  
 Arblasts|| some and gins§ without men bend¶  
 And shot inwards fast enow. At the last they shent\*\*  
 All the brattices†† without and the bridge brent‡‡

\* Took.

† Sworn.

‡ So long as he commanded the garrison.

|| Crossbows. § Engines. ¶ Men directed against the castle  
 from without.

\*\* Destroyed.

†† Wooden palisading and wall stockades. ‡‡ Burnt.



ATTACK ON A FORTRESS (late 15th century)



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For it was all of tree,\* and sir Maci and his  
 Fled into the tower on high when they saw this,  
 And defended them fast, the while they might, i wis,  
 But for default of help many a man shent† is,  
 With a quarrel‡ one within a squire without slew,  
 Sir John Giffard for his death made dole enow,  
 And then sir Maci was taken, and they within came.  
 A carpenter that they said had shot the shot they  
 name,||  
 And led him up the tower on high and made him  
 hop to ground,  
 He hopped and was debruised and died in a stound.§  
 And sir Roger of Clifford then the castle in ward  
 had  
 And they took sir Maci and to the march him led.

1263, Feb. 16.—Negotiations through S. Louis.

John Chishull and Imbert de Montferrand to Henry III.¶

*Royal Letters, Shirley, Rolls Series, p. 242.*

We hereby inform your majesty that we came  
 safely to Paris with your treasure on the morrow  
 of the Purification, and found there lord Edward,  
 your son, safe and sound, and we announced to him

\* Of wood.

† Destroyed.

‡ Crossbow-bolt.

|| Took.

§ Short space of time.

¶ John Chishull, archdeacon of London, and Imbert Montferrand, knight, were sent with credentials dated Jan. 18, 1263, to negotiate peace with Simon de Montfort through S. Louis.

the business upon which we came there. On the following Sunday we waited upon the queen of France at S. Germain-en-Laye, and explained to her your business, as was commanded us, who advised and straitly enjoined us that we should in no wise present ourselves before the king of France until the return of the queen to court, *i.e.*, on the first Sunday in Lent, so that she might herself give counsel and aid to the furtherance of your business. And when the said Sunday was come, in the presence of master H. de Mortimer and the lord prior of Manso, whom by your letters you had asked to assist us, we explained all your business to the king in the manner enjoined. Which, when he had heard and understood, the king appointed us another day that in the meanwhile he might have speech with the earl of Leicester on the matter. On the following Thursday, in the presence of the aforesaid master H. and the prior, the king seriously and succinctly rehearsed our articles and petitions and the business committed to us in the manner in which we had before explained it; saying that he had discussed with the earl of Leicester the aforesaid matters, and that the earl had well said that you wished nothing but what was good; but that some of your counsel had no great care for peace, nor would willingly procure it; whence, as he said, it did not seem to the earl—as the king of France told us—that on account of certain things, which we will explain verbally when we come to England, that he could consistently with his honour now make peace; wherefore the earl

requested the king of France that he would labour no further in the matter. Having heard these, we incontinently requested leave of the king to return home.

**1264, Jan. 23.—The Mise of Amiens.**

*W. Rishanger, Chron.*, p. 11.

In the year 1263 the king spent Christmas, with the queen and his counsellors, in the tower of London. At which time it was endeavoured, as well of the bishops of England as of the prelates of France, that peace should be restored between the king of England and the barons. The result was that the king and the barons submitted to the arbitration of the king of France concerning the Provisions of Oxford, and the depredations and losses inflicted on both sides. Therefore, on the morrow of S. Vincent, an almost innumerable concourse of people being gathered together at Amiens, king Louis of France, in the presence of the bishops and earls and other nobles of the Franks, solemnly gave sentence for the king against the barons, entirely annulling the statutes of Oxford, the provisions, the ordinances, and the obligations\*—with this exception, that he in no way intended to invalidate the ancient

\* The decision of S. Louis is so clearly expressed here that it does not appear necessary to insert the text of the Mise of Amiens. It may be found in the *Fœdera*, i., pp. 433-4, and Stubbs's *Select Charters*, pp. 406-409. Rishanger quotes the exact words 'statutes, provisions, ordinances, and obligations.' S. Louis added as a reason 'specially because the pope has already annulled them.'

charter of king John, granted to the community of England. The which exception impelled the earl of Leicester and the others who had trained intelligence to adhere firmly to the statutes of Oxford, because they were founded on that charter.

**1264.—Results of S. Louis's sentence.**

*Rishanger*, p. 12.

At that time there returned to England those who had been present at the French king's parliament, that is, the king Henry, and queen Eleanor, the Abp. of Canterbury, Boniface, Peter bishop of Hereford, and John Mansel, who did not cease to plot as much evil as they could against the barons. And from that time arose a new error, worse than the first. For many nobles perjured themselves and withdrew from their fealty to the earl of Leicester who was contending for justice. Henry, the son of the king of Almaine, having received the honour of Tickhill from lord Edward, the king's son, came to the consul and said to him "Lord earl, against my father the king of Almaine, and my uncle the king of England, and my kinsmen I can no longer fight. With your favour, therefore, I would have licence to depart. Yet verily I will never bear arms against you." To whom the consul mirthfully replied, "Lord Henry, I grieve not for your arms, but for the inconstancy which I discern in you. Go therefore, and return home with your arms, for I in no wise fear them." At the same time Roger de Clifford, Roger de Leybourne, John de Vaux, Hamo L'Estrange,

and many others, blinded by gifts, receded from fealty which they had sworn to the barons in common.

**Circa 1264.—The song of the barons.—A fragment (Norman-French).**

Political songs, *Wright (Camden Society)*, p. 59.

But the good earl of Warenne,  
Who has so much riches and goods,  
And is skilled in war,  
In Norfolk in this thought  
Came conquering his enemies,  
Now has nought to do.

. . . . .

Right good men were the barons,  
But I know not all their names,  
So great is the sum.

For this return to earl Simon,  
To give interpretation  
What is his name.

He is called de Montfort,  
He is the *mount*, he is the *strong*,  
He hath great chivalry.

This is true and I agree  
He loveth right and hateth wrong,  
He shall have the mastery.

In the world he is truly,  
There the commons to him consent  
Of the land belauded ;  
It is the earl of Leicester  
Who may be glad and joyous  
At this renown.

The bishop of Hereford\*  
 Knew well that the earl was *strong*,  
 When he took up the affair.  
 Before that he was very fierce,  
 He thought to eat up all the English  
 But now knoweth not what to do.  
 And the pastor of Norwich,†  
 Who devours his sheep,  
 Knoweth enough of this tale.  
 He lost much of his goods,  
 Pity they left him aught,  
 For he knew too much of shame.

**1264.—Slaughter of the Jews in London.**

*Chronicle, Th. Wykes, Rolls Series, p. 141.*

Among other things I think that the slaughter of the Jews which was perpetrated at that time in London should not be passed over in silence. For when those who tarried in London became in want of necessary funds, especially when their own property could not suffice to sustain so large a party, they declared it a noble thing to redeem their own penury with the riches of others. Rushing therefore in unexpected tumult on the Jews, of whom a very great multitude dwelt with all confidence in London, little thinking that harm would happen to them,

\* Peter of Aigueblanche, agent of much of the king's tyranny, who procured the bishops' signatures to a blank document which he used for consent to a papal impost. See above p. 59.

† Simon de Wanton, bp. Norwich, 1257-1265.

they, enticed not by the zeal of the law, but by the lust of temporal good, most cruelly slew as many as they could find in the city, forgetful at once of humanity and religion, sparing neither age nor sex ; perpetrating unheard of murders, they inhumanly slew the old men with those still older, the suckling with the aged, lads at play, and babes not weaned, nearly four hundred Jews of both sexes and all ranks being killed. And although they were not signed with the mark of our faith, it seemed an inhuman and impious deed to slay them without cause, since we are bound, according to the canons, to cherish them if only for humanity, and also because they were made in the image of God, and because according to the prophet "in the end a remnant of Israel shall be saved."\* Nor could any of them avoid the peril save those who bought their lives for a vast sum of money, or those who feignedly received the unction of Holy Baptism, and who nearly all as soon as the madness was over returned to their former unbelief, denying Christianity, whereby they were made much worse since they both lived in their sins and remained apostates. Among the authors of this impiety John Fitz-John was distinguished, who slew with his own hand the most famous Jew in the city, Kok the son of Abraham, and added to his own treasures the riches in which he seemed to exceed all the Jews of England, as well as the riches of nearly all the rest out of which he afterwards gave, though unwillingly, no small amount to the earl of Leicester, so that

\* Isaiah x. 22.



neither of them should be free from the guilt of robbery and murder. Nor can it be estimated how great was the loss to the exchequer, more especially since the Jews used in many ways to augment the royal treasure, not merely by tallages, but by pleas, gifts, escheats, and purveyances.

**The capture of Gloucester by the barons.**

*Robert of Gloucester*, Rolls Series, ii. 739.

Then was the castle of Gloucester and the town also  
Through sir Roger de Clifford in the king's hand ido,\*  
And he stored the castle with power† enow,  
And to his castle of Broomsfield sir John Giffard fast  
drew,

And stored him well enow and going had his rout ‡  
To drive and gather thither goods of neighbours  
about.

The stalwartest men that could be found to him  
fast he drew

And of purchase || of neighbours shipped home well  
enow. §

Between the castle of Gloucester and Broomsfield  
also

There was oft bicker great, and much harm ido, ¶

\* Done, *i.e.*, put.

† Force.

‡ Had his company of men; *rout*—"Comus with his rabble rout."

|| Goods.

§ Quite enough.

¶ Done.

But the constable of Gloucester, as with the king's  
power,\*

Held oft, in the king's name, courts far and near,  
So that at Quedgley, without the town two mile,  
He let summon a hundred and there he hent a wile,†  
For as he held this hundred with great folk and  
honour

And Adam of Arden was his chief countour, ‡  
He called sir John Giffard that he suit should them do  
To come or he should in the mercy be ido. ||

He came by assoyne,§ for his men enow  
Came out of Broomsfield, and, armed, to them drew,  
And assoyned their lord and to ground [them] slew.  
Glad was he that might flee ere the sword his neck  
gnowe,¶

Many fled to church and the constable uneath\*\*  
Got off alive and many were brought to death.

These luther†† bailiffs that poor men so great woe do  
ilome ‡‡

To such as Giffard's assoyne I would they oft should  
come.

\* Authority.

† Caught a trap.

‡ Reckoner.

|| Be fined heavily: merci=misericordia=liabilty to an arbitrary  
fine.

§ Excuse.

¶ Gnawed.

\*\* Uneasily.

†† Vile, wicked.

‡‡ Sometimes.

Well a year and a half thus it fared about,  
That each high man did his foes shame with his rout.  
At the last, when winter toward end drew,  
Each of them a great host took enow.  
And sir Roger de Clifford Gloucester kept also  
And at each gate of the town good ward let do.  
Sir John Giffard came one day and sir John de Balun  
there,  
Riding upon two woolpacks, chapmen as they were.\*  
To the west gate, over the bridge, and the porters  
bede†  
To led in two woolmongers their chaffer ‡ in to lead.  
Covered they were both with Welsh mantles twain.  
When the gates were undone they hopped down amain  
Off their horses and cast their mantles away anon,  
And then stood they armed from the head to the ton.¶  
Then were the porters sore afraid of that sight  
And cast them the keys, glad that that they might.  
Force there was enough at the bridge end,  
When the gates were undone, they 'gan thither to  
wend.  
Sir Simon's son of Montfort, sir Henri the hend,§  
And many a good body eke, whom God thither sent.  
Thus the barons had the town, and the castle the king,  
There was oft between them great bickering.

\* As tho' they were chapmen (merchants).

† Prayed.

‡ Merchandise.

¶ Toes.

§ Courteous.

Sir Edward at Oxford.

*Robert of Gloucester*, Rolls Series, ii. 741.

Sir Edward that was by east then, with power great  
enow,

Soon toward Lent toward the March he drew.

His way he took by Oxford, but the burgesses anon  
The gates made [fast] against him of the town each  
one.

He went and lay without the town at the king's hall,  
And went forth on morrow with his men all.

The gates when he was gone were all up-brought\*  
Soon, save Smith gate, and that was undone not.

The clerks had therethrough much solace ilose †  
Of playing out by Beaumont, † annoyed they were  
therefore.

The bailiff they bade † oft to grant their solace  
To play, and undo that gate; but for nought it was.  
So that a few wild hinds a light-rede|| there for home §  
And one day after meat with axes thither come  
Any that gate to hewed ¶ and to dashed\*\* there,  
And forth through Beaumont to Harewell it bare.  
And *Subvenite sancti* fast began to sing  
As men do when a dead man they will to pit †† bring.

\* Unfastened.

† Lost.

‡ Beaumont, a hill outside the gates, where the scholars used  
to play.

‡ Prayed.

|| Foolish plan. § Took.

¶ Hewed down. \*\* Broke to pieces.

†† The grave.

William the Spicer and Geffray of Hincksey that  
then were  
Portreeves, and Nicholas of Kingston that was  
mayor,  
Took [some] of these clerks and in prison cast,  
And would not deliver though the chancellor bed \*  
fast.  
The clerks were to wrath, the burgesses were then  
bold,  
And threatened to take more and for their wrath  
little told.†  
The first Thursday in Lent the burgesses were well  
fierce,  
And the while men were at meat they reared two  
banners,  
And went them forth armed with all their power  
there,  
To defoul all the clerks ere they aware were.  
As they came against All Hallows with power so  
strong  
At Saint Mary's Church a clerk the common bell  
rung,  
The clerks up from their meat and to God's grace  
trusted,  
And said they were shent‡ unless they them bet  
them wuste.||

\* Prayed.

† Cared little.

‡ Destroyed.

|| Took better care.

They met with these burgesses and began to shoot  
fast,  
Wounded there was many a one, and the burgesses  
at last  
Began to flee fast, them thought long ere.\*  
So that the clerks had the streets soon clear,  
The bowyers' shops they broke and the bows took  
each one,  
Then to the portreeve's house they set afire anon.  
In the south half of the town and then the spicery,†  
They broke from end to other, and did all to robbery.  
Because the mayor was a vintner they brake the  
vintnery,  
And all the others in the town, and that was little  
mastery.‡  
They cast away the dossles|| that wine run abroad so,  
So that it was great pity of so much harm ido.§  
Wherefore when the king came and wist such  
trespass,  
All the clerks out of the town he drove for that case,  
Nor until after Michaelmas did they come any more  
there.¶

\* Thought it long before they were able to flee; i.e. were glad to run away.

† Grocers' quarters.

‡ No great exploit.

|| Bungs.

§ Done.

¶ The *Osney Chronicle*, Rolls Series [*Annales Monastici* iv., p. 141], says they returned under the protection of Simon de Montfort.

**1264.—Incidents of the battle of Lewes.***Chronicle of Melrose*, ed. Bannatyne Club, p. 193.Cf. *English Historical Review*, xi., 521.

A few days before Simon set out against the king with the army of the Londoners, whom he was about to lead to battle, he caused a cunningly-devised carriage to be built, the whole of the outside of which he covered with iron, and into it he thrust two old and honourable citizens of London, because they were opposed to him and to the whole city; for they frequently dissuaded the people from going out with Simon against the king. And, therefore, it was that when this came to the ears of Simon, he shut them up as I have described, as a punishment for this wicked, foolish, and obstinate advice. Now, when the said army was about to leave the city, Simon took with him in their carriage these wily orators, in order that they might not cause the city to surrender to the royal party while the army of the Londoners was employed in the expedition against the king. The carriage had a little narrow door through which these old men could go in and out when necessary, but still under watchful custody. On the evening of the day previous to that on which the battle was fought between the king and the barons, when it grew towards nightfall, the entrance to the carriage, through which food used to be brought to these burgesses, was so firmly closed up by Simon's commands that from that time they had no longer any power of getting out. Round about the carriage Simon had caused to be hung

those flags that are called pennons, that by this means the king and his force might be deluded into the belief that Simon was in the chariot; in which, however, the true Simon was not. . . . . So when the king went out to battle against the barons, those who were in the van of the army noticed those pennons I have mentioned as being hung about the carriage, and straightway hurried towards it. The Londoners had already told the royal army that within the carriage sat Simon, whom they had made their leader in the battle, and they added, "He has determined to keep behind us, and he refuses to go out with us to fight as he promised. We are, therefore, very suspicious about him, for he pretends to be so ill that he cannot mount his horse. In truth we fear lest he should betray us to the king his brother-in-law and lest he should attack us in the rear, along with the royal army; and, therefore, we have caused this very strong carriage to be made so that if we must needs die in battle he shall die with us, for we will put plenty of fuel beneath this carriage in which he is, and burn him within it." Emboldened by these words those persons whom I have mentioned as being in the van of the royal army pressed forward to gain this conveyance in which Simon was, as they believed. While they were engaged with all their energies in attacking this deceptive vehicle, and made no progress in their assault, they lost their ground and their courage at the same time. As for the carriage, it was of great assistance to the Londoners; for



whilst very many of the king's army were endeavouring with all their strength to break it open, the lives of those whom I have described as the Londoners, as well far off as near at hand, were saved ; for the barons had not as yet come up and joined them, and, therefore, during the delay caused by the interval of suspense, while the assault was being made on this deceptive conveyance, many of the Londoners were not engaged in the action. So when the army of the barons came up and engaged the king's army in the rear, a large proportion of the Londoners who had been drawn up in front of the king's army (such of them especially as were near the carriage) preserved their strength unabated ; and they afterwards fought all the more effectually against the exhausted soldiers who were on the king's side. This deceptive piece of baggage had been constructed partly with the very intention that it might act as a device which should prove the security of the citizens of London ; for though the royal troops were earnestly engaged in assailing it with all their energies, they entirely failed, and at the same time the Londoners continued fresh and vigorous and ready for battle. . . .

The best of the king's troops seemed to have been seized with madness, and they rent the air with the wildest shouts ; crying out continually " Come out, Simon, you devil, come out of the carriage !" Whilst they continued these shouts at the top of their voices at last the two citizens of London who were inside, managed to make them understand that Simon, whom they were seeking, was not there, but only two

citizens, whom Simon had entrapped out of spite to the king, "for he feared," they said, "that the city of London would have been surrendered to the king's service by our means if we had remained at home in our houses whilst the others went out against the king to battle." No man in his sane wits ought to believe that Simon was a traitor, or to call him one. He was no traitor, but a most devout respector and faithful protector of the Church of God in England, and the shield and defender of the kingdom of the English, and the enemy of the aliens, whom he drove out of this country, though he was himself by birth one of them. It was an act of justice then, not of treachery, when he took away in the carriage these two Englishmen, who thwarted his efforts by their endeavours to prevent the city of London (which is of greater importance than all the towers and chariots in Christendom) from rendering assistance to the barons; since they could not by any means accomplish the expulsion of the aliens, unless they had the most valuable aid of that most important city, on account of the king's power which surrounded them on all sides. Since these old men whom we have mentioned ventured thus singly to oppose themselves to the whole city, they ought, by God's just judgment, to have perished outside the city in the chariot burnt by fire.

In this battle many thousand men were killed, both foot-soldiers and horsemen. In this battle, Richard, earl of Cornwall, Henry's brother (who a few days

before had defied the barons to battle, calling them traitors to king and kingdom), being in fear of his life took shelter in a windmill, and there he barred the door on himself. When it was near evening on the day of the battle the barons came to it and called out loudly to him, "Come down, come down, you wretched miller! Come out unlucky master of the mill, come out!" They upbraided him with his timidity and cowardice, and added, "It is a great pity for you that you must be made a miller—you who so lately defied us poor barons to battle; and when you defied us no less glorious title would serve you than king of the Romans and ever Augustus." For a short time before he had been king of Almaine, wherefore he called himself *Semper Augustus et Rex Romanorum*. So Richard at last did come out of the mill, and the barons carried him off, after they had put him in chains; and then they placed him in close confinement.

**1264, May 14.—The battle of Lewes.**

*Robert of Gloucester*, ii. 748.

At Lewes the king began with his power to abide,  
The barons stayed without the town beside,  
And fair sent into the town to the king their sonde,\*  
That he should for God's love them better understand;  
And grant them good laws and have pity on his land,  
And they him would serve well with foot and with hand.

\* Message, ambassage.

The king sent them word again, without greeting,  
this,

That he cared nothing of their service, iwis,  
And that out of love and truth he put them each one,  
And that he would them seek out, as his pure fon.\*  
The barons knew no other rede, when they heard  
this,†

But bid God's grace and battle abide,‡ iwis,

They went and took counsel them somewhat up and  
down,

How they might beware of their foes and see to the  
town.

Some advised that they should wend on in one heap,  
To have taken them|| unarmed and some abed asleep.  
The good men said that they would such villany do  
none,

But abide till they came armed out each one;  
They lay under the bushes and new knights made,  
And armed and attired them and their bedes earnestly  
bade.§

Sir Simon de Montfort counselled them fast,  
That they should them contain¶ the while the fight  
did last.

Then came the host smiting fast out of the town,  
Many was the good body that was there by them  
brought down.

\* As his utter enemies.

† Plan.

‡ Await battle.

|| *i.e.* their foes.

§ Prayers, prayed.

¶ Restrain themselves.

For the Londoners before this a great despite\*  
had wrought  
To the queen at London; Sir Edward thereon  
thought,  
And for to wreak† his mother to them fast he drew,  
And brought them to the ground and some all in  
flight he slew.  
When he had all these Londoners all brought to  
ground,  
With great joy he turned again, but little joy he  
found,  
For the barons were on the upper hand and his half  
overcome;  
The king of Almaine was in a windmill inome.‡  
For a young knight took him, a knight just made  
right,  
Named Sir John de Bears that was a very good  
knight,  
That much powess did that day. And the king him  
yielded in doubt ||  
To the earl of Gloucester as to the highest of the  
rou.§  
To the Friars Minor in the town sir Edward fled  
fast,  
And there, as he needs must, yielded him at last.

\* Insult.

† Avenge.

‡ Taken.

|| Fear.

§ Company.

Many a one stilly\* his arms away cast,  
And changed them for cloaks, somewhat they  
were aghast.  
And many fled into the water, and some toward the  
sea,  
And some passed over † and came never age. ‡  
About four thousand and five hundred, men said,  
At the battle were slain. That was a piteous deed.

**1264, May 15.—Terms of the peace after the battle  
of Lewes.**

*W. Rishanger, Chron., p. 37.*

The first head, in the matter of the restoration of the peace of the kingdom of England and the reconciliation of the discords aroused or renewed in the same kingdom, is referred to the archbishop of Rouen, the bishop of London, Peter le Chaumberleyn, and H. Justiciar of England, and the bishop of Sabino, legate of the Apostolic See, as arbiters or arbitrators; full power being given to them in all matters save that they in no way intrude themselves into questions concerning the prisoners or the manner of their liberation. The second article, that if four or three of the aforementioned persons agree in one opinion on the question it shall be settled by their decision, the fifth not being required; if two only are agreed, it shall not be decided until it be approved by the fifth; otherwise the arbitration shall cease. And then it shall be decided according

\* Quietly.

† Abroad.

‡ Again.

to the form which the master of the Temple lately laid before the king of France—until some form of peace shall be provided. Third, that these arbiters shall swear that they will choose only native counsellors, whom they know to be useful to the king and realm. Fourth, that the king shall trust his counsellors, without respect of persons, in showing justice, and in creating and constituting his official ministers and bailiffs only from Englishmen and those born in the land. Further that the king will cause to be observed for ever the ancient charters of liberties and of the forest, and the articles against the oppressions of the justices, sheriffs, and other bailiffs. The counsellors also shall provide that the king incur moderate expenses, and exercise no vast liberties, until the ancient debt be relieved and he be able to live of his own, without oppression of merchants and poor men; and that the king shall acquiesce in these provisions of his counsellors. Fifth, that the arbitration be strengthened by good security, and when that is protected and fully confirmed, the hostages of the peace, sir Edward and Henry of Almaine, shall be freed, so that before their liberation they shall give fit security for the preservation of peace, and that they will not excite a new war or discord in the realm, but will resist with all their power those who wish to excite war or discord, together with the other earls and barons who wish to preserve the peace and the arbitration, so that full security may be given to the earls of Leicester and Gloucester and others, their adherents,

lest by reason of the former deeds matters should in any way grow worse in the future. Seventh, that this compromise be treated of in the kingdom of England and be finished at the latest by next Easter.

**1264.—A song against Richard of Almaine.**

*Political Songs*, Wright (*Camden Society*), p. 69.

Sit all still and hearken to me,  
The king of Alemaigne, by my loyalty,  
Thirty thousand pounds asked he  
For to make the peace in the country,  
And so he did more.

Richard, though thou be ever trichard\*  
Trichen† shalt thou never more.

Richard of Alemaigne while that he was king,  
He spent all his treasure upon ill-living,  
Let him have not of Wallingford‡ one furling  
Let him have, as he brews, bale to drink,  
Maugre|| Windsor. §

Richard though thou, etc.

The king of Alemaigne weened to do full well,  
He seized the mill for a castle,  
With hair-sharp swords he ground the steel,  
He thought the sails were mangonel ¶  
To help Windsor.

Richard though thou, etc.,

\* A cheater.

† Cheat.

‡ The honour of Wallingford was conferred on Richard in 1243.

|| In spite of.

§ Henry of Windsor, the king.

¶ War-engines.



The king of Alemaigne gathered his host,  
 And made him a castle of a mill post,  
 Went with his pride and his mickle boast,  
 Brought from Alemaigne many a sorry ghost,  
     To store Windsor.

Richard though thou, etc.

By God that is above us, they did much sin,  
 That let pass over the sea the earl of Waryn\*  
 He hath robbed England, the Moors and the Jews,  
 The gold and the silver, and borne it hence,  
     For love of Windsor.

Richard though thou, etc.

Sir Simon de Montfort hath sworn by his chin,  
 Had he now here the earl of Waryn,  
 Should he never more come to his inn,  
 Nor with shield, nor with spear, nor with other  
     engine

To help Windsor.

Richard though thou, etc.

Sir Simon de Montfort hath sworn by his cop,†  
 Had he now here sir Hugh de Bigot,  
 Though he should pay a twelvemonth scot,‡  
 Yet should he never more with his foot pot §  
     To keep Windsor.

Richard though thou, etc.

Be it lief, be it loath, sir Edward,  
 Thou shalt ride spurless on thy lyard§

\* Earl of Warrene, who escaped from Lewes and fled to France.

† Head. ‡ Tax.

§ Go. ¶ Grey steed.

All the right way to Dover ward,\*  
 Shalt thou never more break forward,†  
     Though that rueth thee sore ;  
 Edward thou didst as a shreward‡  
     Forsake thine uncle's|| lore.§  
 Richard though thou, etc.

**1264.—The misery of the commonalty.**

*W. Rishanger, Chron.,* Rolls Series, p. 29.

The whole of that year, with five months and two weeks besides, trembled with the horrors of war ; and as every one strove to defend his castles, they ravaged the whole neighbourhood, laying waste the fields, carrying off the cattle for the defence of the castles, and spared neither churches nor cemeteries. Moreover the houses of the poor rustics were rummaged and plundered, even to the straw of the beds. Although the earl had given commandment that no one, on pain of decapitation, should presume to enter a sacred edifice or a cemetery for the purpose of plunder, or lay violent hands on religious or their servants, he gained nothing by this provision. For no bishops or abbats or any religious could go from town to town without being plundered by highwaymen.

\* Prison.

† Break out.

‡ Evil man.

|| His uncle, Simon de Montfort.

§ Teaching.

**1264.—The Characters of Simon and Edward.**

(From the 'Song of Lewes').

(p. 3, 14, 15, Kingsford's edition).

May God bless Simon de Montfort,  
 His sons no less and his cohort,  
 Who bravely exposed themselves to death,  
 Fought boldly, mourning the miserable lot  
 Of Englishmen, who, trodden under foot,  
 In fashions scarce to be told and almost robbed  
 Of all their liberties, yea even of their lives,  
 Under harsh rulers so had languished,  
 Like as the people of Israel under Pharoah,  
 Groaning under tyrannical devastation;  
 But God seeing this agony of the people,  
 Gave in fulness of time a new Matathias,  
 And he with his sons, zealous with zeal for the law,  
 Yields neither to the wrongs nor the fury of the king.  
 They call Simon a seducer and a traitor,  
 But deeds show and prove him true;  
 Traitors fall away in necessity,  
 They who fly not death, are in verity.

. . . . .  
 . . . . .  
 To what shall be prepared the noble Edward?  
 Perchance he may be rightly called a leopard,  
 If we divide the name, a lion 'tis and pard;  
 Lion because we see him not delay  
 To attack the strongest places, fearing the onslaught  
 Of no one, making with boldest valour  
 A raid among the castles, and as though at will  
 And wherever he went as if the whole world

Like Alexander he swiftly should subdue—  
If the changing wheel of fortune would but stay ;  
On which though now topmost let him know that he  
will fall.

Who reigns like a lord will reign but short while,  
Which indeed hath plainly happened to noble  
Edward,

Whom we know to have fallen from his insecure  
position.

A *lion* he is in pride, in fierceness ;  
He is in inconstancy and changeableness  
A *pard*, changing his word and promise,  
With fair words excusing himself.

When in a fix he promises whatever you wish,  
But as soon as he has escaped he forgets his promise.  
Witness Gloucester,\* where what he had sworn  
When free from his difficulty he at once revoked.  
The craft or falsehood by which he is aided  
He calls prudence ; the way by which he goes  
Whither he would, however crooked, is considered  
straight.

When wrong serves his pleasure it is called right,  
Whatever he wills he calls lawful, and from the law  
Thinks himself released, as if greater than the king.  
For every king is ruled by the laws which he decreed,  
King Saul was deposed because he brake the laws,  
And David was punished as soon as he acted  
Against the law ; hence let him know who reads,  
That he cannot rule who obeys not the law.

\* Cf. Robert of Gloucester, ii., 746.

Nor ought they to whom it belongs choose such man king.

O Edward, thou desirest to be made king without laws,

Truly wretched would they be who were ruled by such a king.

**1264, June.—Form of peace determined on in the parliament.**

Stubbs, *Select Charters*, p. 412.

This is the form of peace approved in common and in concord by the king and sir Edward his son and all the nobles and the whole community of the realm of England; that is, that the ordinance made in the parliament held in London about the Feast of the Nativity of S. John Baptist last past, for preserving the peace of the kingdom until the peace previously discussed between the king and the barons in the form of a capitulation (mise) be fulfilled so that it shall endure all the days of the said lord king, and also in the time of sir Edward after he shall have become king, up to a term to be hereafter settled, it may remain firm and unshaken; and the said ordinance is—

*The form of government of the king and kingdom.*

For the reform of the condition of the kingdom of England there shall be chosen and nominated three discreet and faithful men of the kingdom,\* who shall have authority and power from the king to

\* Those chosen were the bp. of Chichester, the earls of Leicester and Gloucester.

choose or nominate, on the king's behalf, nine counsellors; three at least, alternately or in turn, shall be present in the court; and the king, by the counsel of the nine, shall ordain and dispose concerning the custody of castles and all other business of the kingdom; and the lord king shall appoint, by the counsel of the said nine, a justiciar, chancellor, treasurer, and other officials, greater and less, in these things which concern the government of the court and kingdom. The first electors or nominators shall swear that, according to their conscience, they will choose or nominate counsellors whom they believe will be useful and faithful, to the honour of God and the church, to the king and the kingdom. And the counsellors and all officials, greater and less, shall swear on their appointment that they will faithfully execute their offices according to their power, to the honour of God and the church and to the profit of the king and kingdom, without reward except the food and drink which are customarily presented at their table. But if the said counsellors, or any, or one, of them, shall be guilty of malversation in the administration committed to them or him, or shall be changed for any other cause, the king, by the counsel of the three first elected or nominated, shall remove those whom he sees fit to remove, and appoint or supply in the place of them, through the same persons, other fit and faithful men. But if the officials, greater or less, are guilty of malversation in their offices, the king, by the counsel of the aforesaid nine, shall remove them without

delay and, by their counsel, appoint others in their place. But if the first three electors or nominators, in electing or nominating consellers, or the counselors, in the creation of officials, or in carrying out or disposing of the business of the king or kingdom, shall disagree, that which is done and ordained in agreement by two-thirds shall be firmly observed; provided that of these two-thirds, in matters appertaining to the church, one shall be a prelate. And if it happen that two-thirds of the said nine shall in any business not be agreed, in their disagreement the decision shall be taken by the first three electors or nominators, or the majority of them. And if it shall seem good to the community of the prelates and barons that one or more persons be appointed and substituted for one or all of the first three electors or nominators, the king by the counsel of the community of prelates and barons shall substitute one or more. All the aforesaid things shall the king do by counsel of the said issue on the above named form, or they in his place and by his authority which shall endure by the present ordinance, until the mise made at Lewes and afterwards sealed by the parties shall be consummated in agreement, or another be provided which the parties shall approve in agreement. And this ordinance was made at London by the consent, will, and command of the lord king, as of the prelates, barons, and also the commonalty then present. In witness whereof the lords, bishops R. of Lincoln, Hugh of Ely, R. earl of Norfolk and Marshal of England, R. de Veer

earl of Oxford, Humfrey de Bohun, William of Mont Canice, and the mayor of London, have put their seals to this writing. Done in the parliament of London in the month of June, 1264.\*

1264, Dec. 14.—**Summons to the parliament of 1265.**

*Select Charters*, p. 415.

Henry, by the grace of God king of England, lord of Ireland, and duke of Aquitaine, to the venerable father in Christ, Robert by the same grace bishop of Durham greeting. Since after the grave occurrences of disturbance which have long prevailed in our kingdom, our dearest first-born son Edward, has been given as a hostage for securing and confirming peace in our realm, and as the said disturbance, blessed be God, is abated, for providing deliverance in a salutary manner for the same and confirming and thoroughly completing full security of tranquillity and peace to the honour of God and the profit of our whole kingdom, as well as concerning divers other matters which we are unwilling to decide without your counsel and that of the other prelates and magnates of our realm, it is needful that we have speech with them. We command you, desiring you by the faith and love by which you are bound to us, that putting aside all excuse and other business, you will be with us in London on the octave of S. Hilary

\* To this follows a general order for the maintenance of peace under native officers, for free passage of merchants to and fro, and for observance of the charters of liberties, and of the forest; and a "remission of enmity on both sides."



next, to treat and to give your advice on the said matters, with the prelates and barons whom we shall summon thither, And this, as you love us and our honour, and your own and the common tranquillity of the kingdom, in no wise omit. Witness the king, at Worcester, the 14th of December.

(The same writ was addressed to the abp. and the dean of York, the bishop of Carlisle, 10 abbats and 9 priors of the northern province, and 10 bishops and 4 deans of the southern; and a similar one ten days later to 55 abbats, 26 priors, the master of the Temple, and the prior of the Hospitallers; also to 5 earls and 18 barons.—Stubbs.)

Also it is commanded all the sheriffs of England that they cause two knights from the loyal, honest and discreet knights of each shire to come to the king at London as said above. Also in the same form it is written to the citizens of York, the citizens of Lincoln, and to other towns of England, that they should send in the said form two of the discreet, loyal, and honest citizens and burgesses.

Also in the same form it is commanded to the barons and good men of the Cinque Ports.

**1265.—Dissension between earl Simon and Gilbert de Clare.**

*W. Rishanger, p. 31.*

In this year, while Edward, the king's son, was still held in ward in the Castle of Hereford, dissension arose between Simon, earl of Leicester, and Gilbert de Clare on the following occasion. The earl of Leicester was not content with keeping the king of England a captive, but took the royal castles

in his own power, disposing of the whole realm according to his will. And his chief offence was that he claimed the entire possession of the revenues of the realm, the ransom of the captives, and other profits, which according to the convention ought to have been equally divided between them. He seemed to be held in contempt also by his sons, who at that time caused a tournament to be proclaimed at Dunstable against the earl of Gloucester, to which came the Londoners and a vast multitude of knights and armed men. When their father Simon heard this he rebuked their presumption, straitly enjoining them to cease from their undertaking and threatening that if they did not obey his orders he would put them in such place that they should no more enjoy the light of sun or moon. When the earl of Gloucester heard this he was incensed beyond measure, and many who were ready for the aforesaid tournament bore it ill to be frustrated in their desire, especially on account of the expense which they had incurred in the matter, uttering reproaches and saying of the earl that it was ridiculous that this foreigner should presume to put the whole realm under his yoke. And it increased Gilbert's indignation that the said Simon, when asked by him to return to him the king of Almaine and certain other captives taken in the battle by Gilbert and his men, replied with brevity or levity. For which cause the old friendship was turned into hate, so much so that neither the consideration of his oath nor former devotion could thenceforth pacify

the said Gilbert. And Gilbert went over to the party of the nobler knights of the March,\* whom earl Simon had ordered by public edict to leave the realm, and joined them in alliance. They were joined also by John de Warenne, earl of Surrey and Sussex, and William de Valence, earl of Pembroke, who landed at Pembroke on their way by sea to the west parts of Wales. Therefore earl Simon, taking the king with him, set out for Hereford and collected a strong force that he might crush the said knights. Meanwhile an endeavour was made by certain prelates to restore the earls of Leicester and Gloucester to their former union; but they could in no wise succeed.

**1265.—Earl Simon in power.**

*W. Rishanger, Chron. p. 30.*

In the year 1265, the forty-ninth of his reign, the king was detained in the custody of earl Simon, with Richard the king of Almaine, his brother, Edward his eldest son, and some other nobles his fellow-captives. And earl Simon led about with him during the past and the present year the king of England, and his son Edward whom he had brought from Wallingford, until he had occupied all the stronger castles of the realm. And from that time he showed himself less ready to treat for peace, according to the form that had been arranged, because he had the king and the whole kingdom in his power. At length he placed the king of the

\* Roger Mortimer, James Audley, Roger de Clifford, etc., who had risen for king Henry. Rishanger, p. 30.

Romans in the Tower of London, and Edward\* and Henry, the sons of the kings, in the Castle of Dover, under guard,—leading the king of England about with him always. Who wheresoever he went was honourably and royally received, the earl showing him all reverence.

**1265, May 28.—The escape of Edward.**

*Robert of Gloucester, ii., 756.*

Sir Simon de Montfort, † wise man though he were,  
Het ‡ that men to sir Edward great reverence should  
bear ;

So that he might play up and down, as in company,  
So that there was a wile § agreed on. For as in good  
innocency

Sir Edward prayed sir Simon that he would him give  
To spur steeds ¶ without the town, leave.

Leave was to him granted, God wot to what end,  
So that sir Edward without town began to wend.

A steed he began to spur well for the mastery, ¶

And with him he had of knights a fair company.

And then he took another, and weary them made  
anon,

And then he took the third, the best of each one.

\* He was shortly afterwards removed to Hereford, to assist Simon in his negotiation with the Welsh. Rishanger, p. 31.

† So text—but sir Henry, Simon's eldest son is meant.

‡ Promised. ¶ Plot.

§ Race.

¶ To find out the best.

As it was before bespoke\* the which he should  
trust,

He spurred it first softly as him little lust, †  
When he was a little from the folk, with spur he  
smote to ground, ‡

The sides ran a-blood in a little stound. ¶

Then of steeds a good and quick they found.

Away went this good knight. When he was out of  
hand,

"Lordings," he said, "have now good day,  
And greet well my father the king; and I shall, if I  
may,

Both see him well betime and out of ward him do." §

What need of a long tale? He escaped so,

And to the castle of Wigmore his way soon he nome. ¶

There was joy and bliss enow, when he was thither  
come.

#### 1265, August 4.—The Battle of Evesham.

*Robert of Gloucester, ii. 762.*

So sir Simon the old came on Monday, i-wis,  
To a town beside Worcester, that Kempsey called is,  
On the Tuesday to Evesham he went in the morning  
And there he let for him and his folk priests masses  
sing,

\* Arranged.

† If he liked it but little.

‡ Pricked it hard.

¶ Time.

§ Take.

¶ Took.

And thought to wend northward his son for to meet,  
But the king would not [stir] a foot before he dined  
or ate.

And sir Simon the young and his host at Alcester were,  
And would not thence wend a foot ere they dined  
there.

This to dinners doleful was, alas,  
For many was the good body that there-through  
slain was.

Sir Edward and his power soon came to ride  
To the north half of the town, battle for to abide.  
When sir Simon it knew and they that with him were,  
Soon they let arm and their banners uprear;  
The bishop Walter of Worcester absolved them all  
there,  
And preached to them [so] that they had of death  
the less fear.

Their way against their foes in God's behalf they nome\*  
Weening that sir Simon the young to meet them was  
come.

Sir Edward's host and others [being] all so nigh,  
He arranged the host right well, and through God's  
grace

He hoped to win that day the mastery of the place.  
Then saw he there beside as he beheld about  
The earl of Gloucester's banner and with him all his  
rout,

As if to close him [in] on the other half, i-wis,  
"Lo," he said, "a ready folk and full wary this is.

"And more skilled in battle than before they were,  
"Our souls," he said, "God for our bodies are theirs."

"Sir Henry," he said to his son, "this hath done  
thy pride,

"Were thy brother but come, hope we might yet."

They betook\* life and soul to God's grace each one,

And into battle smite fast among their fon,†

And, as good knights, to ground slew anon,

So that their foes fled soon, thickly many a one.

Sir Warin of Basingburn when he there did see

In front he began to spur and to shout on high,‡

"Back, traitor, back, and have it in your thought

"How vilely at Lewes ye were to ground brought.

"Turn again and bethink you that the power all ours  
is,

"And we shall as for nought o'ercome our foes i-wis."

Then was the battle strong on each side, alas!

But at the end that side was beneath that feebler was,||

And sir Simon was slain and his folk all to ground.

More murder never was before in so little stound,§

For first there was sir Simon de Montfort slain, alas,

And sir Henry his son, that so gentle knight was,

And sir Hugh the Despencer, the noble justice.

And sir Peirs of Montfort, that strong was and wise,

Sir William de Perons and sir Ralph Basset also,

Sir John of Saint John, sir John Dive too,

\* Committed.

† Foes.

‡ Loudly.

|| The weaker party were worsted. § Time.

Sir William Trussell, sir Gilbert of Enfield,  
 And many a good body was slain there in that field.  
 And among all others most ruth it was ido,  
 That sir Simon the old man dismembered was so,  
 For sir William Mautravers (thanks have he none)  
 Carved off his feet and hands, and his limbs many  
 one.

. . . . .  
 And his head they smote off and to Wigmore it sent  
 To dame Maud the Mortimer who right foully it  
 shent ;\*

But though that men limbed him, he bled not, men  
 said,

And the hair-cloth was to his body nearest weed.†  
 Such was the murder of Evesham, for battle none  
 it was,

And therewith Jesus Christ well ill pleased was,  
 As He showed by tokens [both] grisly‡ and good.  
 As befell with Himself when He died on the rood,  
 That through all the earth darkness there was enow,  
 So also the while the good men at Evesham men  
 slew,

In the north-west a dark storm there arose  
 Suddenly swart enough, that many a man agros.||  
 And it overcast all the land that men might scarce  
 see,

A grislier weather than it was might not on earth be.

\* Abused.

† Garment.

‡ Terrible.

|| Was terrified.



A few drops of rain there fell great enow.  
This token fell in this land when men these men slew,  
For thirty miles from thence this saw Robert  
Who first this book made and was well sore afraid.

**1265.—The king in the battle of Evesham.**

*Chronicle of Melrose*, ed. Stevenson, Bannatyne Club, p. 200.

As for king Henry, who had fostered injustice in England by means of foreigners, he went out in arms to wage this battle with Simon in order to restore justice to England, wearing, however, the armour of some other person. I might have said that the king had gone out to fight for the justice of England unless his escape from the battle and his restoration to royal power had again enabled him to have gathered together aliens against native Englishmen, and so the last error had become worse than the first. It seems then that the barons wished that the king should die with them, if it were necessary that they should die in the battle in which the king was engaged; their plan was that he should be unknown to his own adherents and should fall under the heavy weight of their blows. Being unable to fight like the others he kept calling out at the top of his voice, "I am Henry, the old king of England"; swearing sometimes, "By the love of God," at other times, "By God's head," and constantly affirming that he was the king; and he cried to the men who were hitting at him, "Do not hit me, I am too old to fight." It was his use and

wont to swear such oaths as these. As he was thus exclaiming, they took his helmet off his head ; and, discovering by his countenance that he really was the king, he was taken out of the battle, and on the next day he was restored to his kingdom to the great satisfaction of the enemies of Simon and the barons who had been killed.

**1265, Oct. 6.—Submission of London. \***

*Royal Letters*, p. 293, translated by Dr. Shirley.

To Henry, by the grace of God, etc., his lieges Humfrey de Bohun, earl of Hereford, John de Balliol, John de Verdun, Robert Waleram, Roger de Leyburn, health, and (themselves) ready and prepared to do all his commands. Know, sir, that this Tuesday we caused to assemble the Commons of London, and in the presence of all we caused your mandate to be read ; and when we had spoken to them, it was a sufficiently clear matter to our judgment. On the other hand, sir, we have commanded them that the chains which were replaced should now be broken down without delay and the keys of the gates surrendered ; and we met with no opposition. And, sir, seeing that matters are so secured, we pray you to command that your letters be sent into all the counties which are near the city, that merchants may in future safely come to the said city and go, and bring and take victuals and all other things ; and that the country lands which belong to the burgesses

\* Cf. *Chron. Majorum et Vicecomitum Londiniarum*, Camden Society, ed. Stapleton, p. 77 : Loftie's *London*, p. 59.

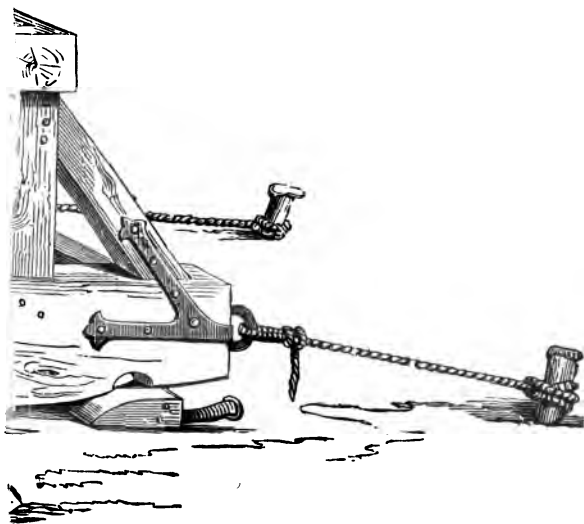
of the city be fully seized with your hands and all other manner of persons removed; for know, sir, that the country property which belonged to them is being maliciously and outrageously spoiled. So soon, sir, as they of the city shall have performed their engagements we will let you know. Farewell, and God keep you.

1265.—An incident. † S. Alban's.

*W. Rishanger, Chronica, Rolls Series, p. 38.*

At this time the town of S. Alban's was so carefully fortified, and the gates were so strongly secured with locks and bolts for fear of war, that all access was denied to those who wished to pass through it, especially mounted horsemen. At that time Gregory de Stoke, constable of Hertford, piqued at the spirit displayed by the people of S. Alban's, boasted that he would enter the town with three attendants, notwithstanding the bolts and bars, and would seize and carry off with him to Hertford four of the better class of townsmen. To carry out his purpose he entered the town and made foolish excursions everywhere, looking about now this way, now that, as if he was going to perpetrate some great thing. At length he said to the lads accompanying him, "You see how the wind stands?" Presently a certain butcher, thinking he meant to burn the town, said, "I will teach you how the wind stands," and gave

† This extract is given as illustrating the condition of England just after the battle of Evesham—the miseries caused in many a town not directly in the track of the contending armies. The translation is Mr. Gairdner's.



accroix' "L'Armée Française."





him a blow on the face with such violence that he fell at his feet upon the ground. The people then seized him and his lads and bound them with iron rings and fetters; and in the morning their heads were cut off by the butchers, and were fixed upon long stakes and placed at the four ends of the town. But the king, when he heard of it, fined the town a hundred marks, which was immediately paid.

**1266.—The defence of Kenilworth.**

*Robert of Gloucester*, ii. 771.

The king anon at mid-summer with strength and  
with gin\*

To Kenilworth went, the castle to win,  
He swore he would not [go] thence till he were  
within.

So long they sped badly that they might as well blieve †  
None of their gates those within ever close would.  
Open they stood night and day, come in whoso would.  
Out they smite well oft, when men too nigh came,  
And slew fast on either half and prisoners name ‡  
And then bought them back with ransom. Such life  
long did last :

With mangonels and engines each upon the other  
cast. ||

The legate and the archbishop with them also nome §  
Two other bishops, and to Kenilworth come,

\* Engines.

† Close.

‡ Took.

|| Missiles.

§ They took.

To make accord between the king and the disinherited also

And them of the castle, if it might be ido.\*

But the disinherited would not do all after the king,†  
Nor they of the castle any the more, nor stand to  
their liking.‡

The legate with his red cope amansed|| tho§

Them that in the castle were, and full many mo,¶

All that helped them or were of their rede\*\*

Or to them consented, in will or in deed.

They of the castle held it in great despite.

Copes and other clothes they let make of white.

And master Philip Porpoise, that was a quaint man,  
Clerk, and hardy in his deeds, and their chirurgian,††

They made a mock legate in this cope of white

Against the others' rede‡‡ to do the legate a despite,

And he stood as a legate upon the castle wall,

And amansed king and legate and their men all.

Such game lasted long among them in such strife,

But much good was it not to soul nor to life.

Sir John Deville and others, that disinherited were,

Took the castle of Ely, and held them fast there,

And in Cambridgeshire of other men's goods enough

\* Done.

† Agree to all the king wished

‡ Decision.

|| Excommunicated.

§ Then.

¶ More.

\*\* Counsel.

†† Surgeon.

‡‡ Plan.

Fetched and stored themselves and with mow.\*  
The Jews they also slew that they might find  
Their treasures, nor of their other goods left they  
aught behind.

**1266, Oct. 15.—The Ban of Kenilworth.**

*Select Charters*, pp. 419 et seq.

In the name of the holy and undivided Trinity, Amen. To the honour and glory of God the Father Almighty, and Son, and Holy Ghost, and of the glorious and most excellent Mother of God, the Virgin Mary, and of all the blessed, by whose merits on earth and intercessions we are directed, and of the holy Catholic and Apostolic Roman Church, which is the mother and mistress of all the faithful, and of our most holy father and lord Clement, chief pontiff of that universal church, for the honour and the good, prosperous, and peaceful state of that most Christian prince lord Henry, illustrious king of England, and of the whole realm and Church of England, we W. of Exeter, W. of Bath and Wells, N. of Worcester, and R. of S. David's, bishops; Gilbert de Clare, earl of Gloucester and Hertford, Humfrey of Bohun, earl of Hereford, Philip Basset, John of Balliol, Robert Waleraund, Alan de la Zouche, Roger of Somery, and Warin of Bassingbourne, to provide or look to the state of the land, especially in the matter of them that have been disinherited on the facts, having from the aforesaid king and the other barons, counsellors of the realm, and peers of Eng-

\* Mockery.



land, full power, according to the form written down in letters patent, furnished with the seals of the aforesaid kings and others, have provided what, under the favour of Divine grace, according to the rule of law and fair dealing, we have thought agreeable to the good pleasure of God and the peace of the realm, neither accepting the person of any man in this matter, but having God only before our eyes, and therefore acting before all things as in the sight of Almighty God, and most duly and in order preferring the head to the members—

1. We say and provide that the most serene prince the lord Henry, the illustrious king of England, shall have, fully obtain, and freely exercise his dominion, authority, and royal power, without let or gainsaying of any man, by which, contrary to approved rights, and laws and long established customs of the realm, the royal dignity may be assailed, and that full obedience and humble observance be shown by all and singular of the said realm, great or small, to the lord king himself and to his lawful orders and commands; and that all and singular shall seek justice and answer in justice by writs at the court of the lord king, just as was ever wont to be done before the time of this disturbance.

2. We ask also the lord king, and reverently advise his piety, that he should appoint such persons to do and render justice as, seeking not their own but those things that be of God and righteousness, may rightly settle the cases of his lieges according to the

laws and praiseworthy customs of the realm, and thereby make the throne of royal majesty strong in righteousness.

3. We likewise ask and advise the same lord king that he fully keep and observe the ecclesiastical liberties, the charters of liberties and of the forest, which he is also bound to keep and guard expressly by his own oath.

4. Let the lord king also provide that the grants which he had hitherto made of his free will, and not under compulsion, be kept, and confirm enduringly other things necessary which have been thought out of his good pleasure. And also that the English Church should have full rest and be permitted free use of its liberties and customs which it had and ought to have before the time of this disturbance.

5. We award and provide that the aforesaid lord king wholly forgive and spare all and singular who from the commencement of the present disturbance of the realm, and by occasion thereof up to this time, have committed any wrong or offence against him and the crown royal, and who have come into his peace within forty days after the publishing of this our provision so that in no way, under no cause or pretext on account of past injuries or offences of this kind, he shall exercise any vengeance on the same offenders, or put on them punishment of life, limb, prison, exile or fine, or vengeance except on those which are contained below in our present provision.

6. We award also and provide that all places, rights, property, and other things belonging to the crown royal shall be restored to the crown and the lord king by those who detain them in occupation, unless they can show that they possess them by reasonable warranty from our lord king or from his ancestors.

7. We award also and provide that all writings, obligations, and instruments which the aforesaid lord king, or the lord Edward his first-born, or other lieges have made, or have hitherto issued by reason of the Provisions of Oxford, or by reason of the disturbance which had been in the realm, at the instance of the late Simon of Montfort, earl of Leicester, and his accomplices, be wholly annulled and quashed, and be held as quashed and null together. The prejudicial and hurtful deeds of the said Simon and his accomplices, and the contracts touching immoveable property\* made by them when they were in their power, shall be annulled and deemed naught.

8. We humbly ask both the lord legate and the lord king that the lord legate himself forthwith forbid, under ecclesiastical restraint, that Simon, earl of Leicester, be held by any one as a saint or righteous person, since he died under excommunication, as holy Church holdeth that the vain and foolish miracles told by some of him be uttered by no lip hereafter, and that the lord king strictly forbid the same under pain of corporal punishment.

\* Land.

9. We reverently and humbly supplicate our worshipful father Ottobon, cardinal deacon of S. Adrian and legate of the apostolic see, that since he knows it will be expedient for the lord king, as well for other men of the realm great or small who have not observed at all the sworn charters, to observing which all were held, who did not observe them by the sentence of excommunication issued against them, to give them the benefit of absolution.

10. We beg and advise that no one, of whatever rank he be, shall take corn or any victuals, or any goods whatever, under name of loan or provision of future payment, without leave of those whose goods they be, saving the approved customs of the realm.

11. As for London we counsel, exhort, and ask the aforesaid lord king, that he provide by his counsel for reforming the state of the city, as far as lands, rents, domains, and liberties, and that provisions for this be quickly made.

12. Concerning the state and business of the disinherited, among other things which we have ordained and ordered, wishing according to God to enter upon the path of repentance, we have thought meet to provide, with the assent of the cardinal deacon of S. Adrian, and legate of the apostolic see, and of the noble Henry of Germany, having like power, that there be not disinherittance, but ransom, to wit in the case of those that begun the war and continued therein up to this day, that by force and malice held Northampton against the king, also of those that fought with and defeated the king at

Lewes ; also of those that were taken at Kenilworth, who came from the plunder of Winchester, or were elsewhere against the king, whom the king hath not pardoned ; also of those that fought at Evesham against the king ; also of those who were at Chesterfield against the king in battle ; also of those that freely and of their own will, and not under compulsion, sent their services against the king or his son ; also of the bailiffs and servants of of the earl of Leicester, who plundered their neighbours, and committed murders, arsons, and other mischiefs,—these they pay as much as their land is worth for five years, and if they pay that ransom that they get back their lands ; so that if the land must be sold no one shall have it except he who holds it as a gift from the lord king, if he should give as much as any one else will give for it at the common price and at the same terms ; also if it should be let to farm, and that no one have better right than he who held it by gift of the lord king, if he will give as much as anyone else will give for the farm ; similarly that he that will pay for the whole land shall have the whole, and he that will have the moiety the moiety, and he that will have the third part forthwith have the third part. But if at the last term appointed what he will give as ransom doth not be enough, a moiety of the remaining land shall remain with them on whom the lands have been bestowed by the lord king ; but it shall be free for the ransomer to sell within that term the whole or part of the land according to the form of sale

previously set down, and similarly to let it to farm.\*

23. Also the lords, the legate, the king, and Henry of Germany, shall see chosen twelve men, who shall diligently and faithfully execute these things, and the king and his heirs shall cause them to be firmly observed and maintained. They shall inquire and fill up what is ordained by the above named twelve elect according to the form of ordinances that be already made, but if not, they shall make reasonable and true valuations according as the twelve commissioners provide.

#### **The character of Simon de Montfort.**

*Chronicle of Melrose*, ed. Stevenson (Bannatyne Club), p. 207.

A comparison cannot be fairly instituted between two objects unless they be placed near together. Thus, Simon de Montfort may be compared with Simon Peter (the only one with whom he may be compared); for after he had made oath with the barons by the king's directions,—the king himself having sworn in like manner, along with Simon, nay, rather before Simon, faithfully to stand to the decision of the barons at Oxford, which had been enrolled by the wise men of England—he began to deny himself, so to speak, and, like Simon Peter, to watch all night; and, in adherence to this custom, he used to rise about midnight, at the warning of some horologe, which no one heard save himself, if it be permitted to describe God's providence as an horologe, for it never

\* The intervening articles are of less importance till art. 23, as are also the concluding articles.

failed him after he had commenced this custom. A wax taper was his horologe, which it was his wont to light each night as he went to bed ; and God so adjusted this taper, with reference to the length and shortness of the night, as the case might be, that when it reached the point which indicated midnight, immediately he arose from his bed, as if awoke by God, and yet so noiselessly, that none of those who were sleeping near at hand either heard him or were aware that he had so risen. Long-continued custom enabled him to do this with the same precision as if he had been awoke by the most accurate timepiece. Thus, habitually shaking off the inclination to sleep until cock-crowing or early dawn, his example herein corresponded with that of Simon Peter ; for, from that hour at which he arose during the night until the night of the following day, sleep never closed his eyes, exactly as was the case of Simon Peter. How beautifully does the one Simon herein correspond with the other ! for, while the one continued in earnest prayer before God, night after night, so did the other spend each night in continually meditating upon the words which he was about to announce to the unbelieving people on the ensuing day. While Simon was thus in watching and prayer, he knew by heart the primer, the psalter, and other prayers, which he repeated during the night with alacrity and devotion ; for he was not forgetful of the love and commands of his Creator. We may well believe, therefore, that in doing these things, he did what was well-pleasing in the eyes of the

Almighty Creator ; especially if that was true (yea, rather because it was true) which his private attendants in his bedchamber reported of him, namely, that all day long and all night long he was clothed in hair-cloth. So great was his temperance in his diet, so praiseworthy was his frugality in his clothing, that he did not exercise himself in great matters which were too high for him ; but whilst he was with those of his own household he was contented with a russet garb ; even when associated with the nobility of the land he seldom wore a scarlet dress, but most generally clothing of a blue or brown colour, possibly that they might the less suspect that his undergarments were of hair-cloth ; for he was apprehensive that some such report had got abroad among men.

Once more, what can I say about his thrift, so frugal, and therefore so praiseworthy, as that was, which he exhibited in the midst of wealth so abundant and luxuries so profuse, but this—that herein his scanty self-indulgence may be compared with the example of Simon Peter. . . . Furthermore, let us observe the nature of the moderation which dwelt in Simon the knight. You must observe that the character of moderation is this, that it takes neither too much food or drink nor too little, but always holds a middle course between the two—between the excessive and the deficient. Now, Simon never exceeded the accustomed measure prescribed to him by his frugality, either in his eating or his drinking ; and therefore he deserves to be styled moderate, as is further demonstrated by his habit of early rising in



which he always persevered, as we have already described. Those who slept along with him did not arise, but spent nearly the whole night in bed, but they got up with an impaired digestion, and surfeited with excess of sleep, nothing of which kind occurred to our Simon. No excess of sleep could be noted in him, for his moderation was great. Thus we may find an example of holy moderation in Simon, for in him "temperance in sleep accompanied temperance in diet,"\* if I may use the words of the most holy Bernard. . . . . At this time, as I have remarked already, Simon wore a hair shirt. You might have heard grave and religious men, of different orders, saying everywhere throughout England (of whom some came into Scotland and said the same) that after Simon was dead they would quite as willingly visit his tomb for the purpose of their praying to God, as they would go to Jerusalem for the same purpose. This was in consequence of the austerity of his life, as demonstrated by the hair-cloth which he wore; for those who were the chamber fellows with him had mentioned to some of their most intimate friends that Simon used a shirt of hair; for there is nothing hidden which shall not be revealed. Another reason was that he had taken in hand the most righteous cause of defending the inhabitants of England. There were others who said that if at the time when they were speaking Simon had fallen for the sake of right (as he afterwards did) they would quite as readily have

\* *Sobrius ejus victus, sobrium sequebatur somnum.*

gone to his sepulchre there to pray to God, as to the great shrine of Saint Thomas the martyr, in which he reposes at Canterbury, endowed by God with many miracles\* and adorned with precious stones. The remark which they made in their conversation with each other was not devoid of sound reason, for no less did Simon die for the lawful right of the just possessions of England than Thomas for the lawful right of the churches of England. Each of them had died in his own day, clothed in the penance of hair-cloth, a penance which sooner than any other leads a man to God, that so they might put on incorruption through means of the penance thus voluntarily assumed by God's inspiration.

After the precious death of this Simon the Friars Minor, whom he had always loved as became a religious man, and who also were acquainted with the inmost thoughts of his heart in many things, taking matter of a speech from his life, published a history out of his good deeds, consisting of lessons, responses, verses, hymns, and other matter appertaining to the honor and respect due to a martyr; but as long as Edward survives this compilation does not attain that acceptance by being chanted within the church of God, which was hoped for.

\* Cf. *Ban of Kenilworth*, c. 8 (above, p. 158).

## The lament of earl Simon.

*Wright's Political Songs*, p. 135.

1. Sing must I now, my heart wills so,  
Altho' my tongue be rude,  
With tearful thought, this song was wrought,  
Of England's barons good :  
Who for the peace, made long ago,  
Went gladly to the grave,  
Their bodies gashed and scarred and slashed,  
Our English land to save.  
*Refrain.*—Now low there lies, the flower of price,  
That knew so much of war,  
The Earl Montfort, whose luckless sort  
The land shall long deplore.
2. On a Tuesday, as I heard say,  
The battle it was fought,  
From horseback all they fight and fall,  
Of footmen had they nought.  
Full cruelly they struck that day  
All with the brandished brand,  
But in the end Sir Edward's men  
They got the upper hand. *Refrain.*
3. But by his death earl Simon hath  
In sooth the victory won,  
Like Canterbury's martyr he  
There to the death was done.  
Thomas the good, that never would  
Let holy Church be tried,  
Like him he fought and flinching not  
The good earl like him died. *Refrain.*

4. Death did they face to keep in place  
Both righteousness and peace,  
Wherefore the saint from sin and taint  
Shall give their souls release;  
They faced the grave that they might save  
The people of this land,  
For so his will they did fulfil,  
As we do understand. *Refrain.*
5. Next to the skin when they stripped him  
They found a shirt of hair,  
Those felons strong that wrought the wrong,  
And foully slew him there;  
But worse their sin to mangle him,  
A man that was so good,  
That how to fight and keep the right  
So truly understood. *Refrain.*
6. Sir Hugh the proud, Dispenser good,  
That noble judge and wise,  
So wrongfully was doomed to die  
In very evil guise;  
Sir Henry, too, I tell you true,  
The Earl of Leicester's son,  
Others also earl Gloucester slew,  
As ye shall hear anon. *Refrain.*
7. No earl or lord but sore hath erred  
And done things men must blame,  
Both squire and knight have wrought un-right,  
They all are put to shame.  
Through them, in sooth, both faith and truth,  
Are perished from this land,  
The wicked man unchecked may reign  
The fool in folly stand. *Refrain.*

8. Sir Simon now, that knight so true,  
With all his company,  
Are gone above to joy and love  
In life that cannot die ;  
But may our Lord that died on rood  
And God send succour yet  
To them that lie in misery,  
Fast in hard prison set ! *Refrain.*
9. Wherefore I pray, sweet friends alway  
Seek of Saint Mary's Son,  
That He may lead to his high meed  
Him that this rime hath done ;  
I will not name the scholar's name,  
I would not have it known  
For love of Him, that saves from sin,  
Pray for clerks all and one. *Refrain.*

F. Y. P.

## **An Hymn for Simon of Montfort.**

Simon of the mountain strong,  
 Flower of knightly chivalry,  
 Thou who death and deadly wrong  
 Barest, making England free :

Not the holy ones of yore,  
 They on earth who travailed sore,  
 Came to such despite and scorn ;

Feet and hands dissevered,  
 Pierced corse and wounded head,  
 Flesh and harness stript and torn.

So with God our champion be  
 As our whole defence in thee  
 Dying, leaves the world forlorn.

G. G. A. M.

(The original in *Miracles of Simon*, Halliwell, Camden Society.)

## APPENDIX.

### ACCOUNTS OF THE AUTHORS CITED AND BOOKS QUOTED.

#### MATTHEW PARIS.

Matthew, called Parisiensis either because he was a native of Paris or had studied there, or because it was his family name (one not uncommon in the 13th century), was born about 1195. In 1217 he entered the Benedictine monastery of S. Alban's, where, on the death of Roger of Wendover, in 1236 he became chronicler. Though Matthew was a monk he was not a recluse, but took an active part in the life of the world, was a traveller, a politician, and a courtier, a man with a reputation which extended beyond his own country, as is proved by the mission with which he was entrusted by Louis IX. of France, who sent him in 1247 as the bearer of despatches to Hacon VI. king of Norway. In 1248 Matthew paid a second visit to Norway at king Hacon's request, and on the application of the Norwegian Benedictines to Innocent IV., in order to repair the financial disorder of the monastery of Holm. These two journeys were the chief events of his life, but we find him at court in 1247, when Henry III. bade him write a full account of the bringing of the Sacred Heart to Westminster. It is evident from his history that he had a wide circle of acquaintance among the chief men of all classes in the kingdom. He died at S. Alban's in the summer of 1259.

His chief work is the *Chronica Majora* (from which the extracts in this volume are taken), a history from the Creation to 1259. It is not, however, entirely his own work; indeed, the part covering the years 1235-59 is the only one for which he is responsible. Down to 1189 the *Chronica* is the work of John de Cella, abbat of S. Alban's from 1195-1214. Thence it was continued by Roger of Wendover on the same plan and from the same sources to 1235, the whole work up to this date long passing as his production and being known as the *Flores Historiarum*. This chronicle was transcribed by Matthew Paris, with numerous additions and corrections of his own. The *Historia Anglorum*, or *Historia Minor*, is chiefly an abridgment of the latter part of the *Chronica Majora*, extending from 1067 to 1253, but comprising additional information. Other works which have been ascribed to Matthew Paris are the *Duorum Offarum Merciorum Regum Vita*, which is certainly not his, the *Viginti trium Abbatum S. Albani Vita*, together with the *Addimenta* to his *Chronica Majora*, being chiefly a collection of explanatory documents. He states that he had written a *Life of S. Edmund*, but this is not known.

Matthew Paris has justly been considered the best Latin chronicler of the 13th century; and his work contrasts sharply with previous works of the kind. In place of an almost colourless narrative, we have a series of brilliant historical criticisms, a change which is mainly due to the altered policy of the clergy who were compelled to abandon their position of political neutrality for one of active partisanship. His style is constantly vivid and lively, and often marked by considerable humour. Such passages, for instance, may be observed as the account of Taillebourg and of Master Martin's departure from England, which bear every trace of being drawn from the accounts of an eye-witness.



Matthew, like the majority of the clergy in his day, was a warm supporter of the popular cause. He fiercely denounces alike the encroachments and oppression of the Roman court and the extravagance and tyranny of the king and his foreign kinsfolk. In his pages, indeed, the national sentiment may be said first to receive adequate expression. The wide range of his history should be noticed, for not only is it the best source of information with respect to events in England, but it is also an authority of value for the history of France, of Spain, and of the struggle between the Papacy and the Empire.

S. Alban's, as lying close to London, was a great centre of intelligence; moreover, numbers of state documents were sent there to be preserved or copied. This alone would have made Matthew a valuable authority; but, as we have seen, he had also ample means of getting information as to events from the chief actors in them. With earl Richard of Cornwall we can easily see that he was intimate, and his authority is several times cited. In his later years Matthew came to know the king himself. And Henry was at S. Alban's in 1252 and again in 1257, on which latter occasion Matthew says he consorted with him *in mensa, in palatio, et in thalamo*, and obtained from him a list of English kings who had been canonised, which he gives in order that his illustrious informant should not have taken this trouble for nothing. Among others of Matthew's informants were bishop Richard de Witry of Chichester and bishop Richard of Bangor. He did not allow these intimacies to warp his judgment; earl Richard is freely criticised for his abandonment of the popular cause in 1239, and though personal knowledge softened the opinion which Matthew had at first formed of the king and archbishop Boniface (witness the alterations made by him in revising his work), much was still left that could not have been pleasing to the royal ears. If his feelings as a monk seem to

have made him judge Grosseteste harshly during his life, after his death he praises him warmly. While we recognise that Matthew had strong feelings on the politics of his day, we may accept his work as a just and fair history of his own times.

The *Chronica Majora*, from its denunciations of the papal court, was very popular at the Reformation. It was first published under the direction of Archbishop Parker in 1571, and several editions appeared in the following century. The complete work has now been edited by the Rev. R. H. Luard in the Rolls Series, and the *Historia Anglorum* in the same series by Sir F. Madden.

C. L. K.

### ROBERT GROSSETESTE.

Grosseteste was born—it is at least a probable conjecture—in 1175, at Stradbroke, in Suffolk. Little is known of his early life, save that he studied at Oxford. How long he remained there is doubtful. Eccleston in his “Coming of the Friars” speaks enthusiastically of the influence he obtained over them. He was archdeacon successively of Wilts, Northampton, and Leicester, and was elected bishop of Lincoln by the chapter in 1235. He held the see till his death in 1253. For those eighteen years he was the foremost ecclesiastic in England, foremost in internal reformation of the church, foremost in resistance to Papal aggression, foremost in opposition to the king’s attempts to tyrannise over clergy and laity. The life of Grosseteste indeed is so important a part of the history of his time that a short summary of its events cannot but be inadequate. The extracts given from his letters sufficiently illustrate his attitude toward the great question of the day; but we may observe:—(i.) That he carried out in his own diocese a thorough reform among the monastic and parochial clergy, acting always

with justice and true spiritual earnestness if sometimes with apparent harshness. He was greatly aided in his reform by the Friars minor, whose good work he took every opportunity of eulogising. His action was far from popular among the monastic clergy, as may be seen by the tone of Matthew Paris, who was in general sympathy with his aims, regarding him. He was involved for years in a quarrel with the chapter of his cathedral, on account of his claim to visit "not only the cathedral itself, but also the churches belonging to the prebends and those attached to the cathedral." The conclusion of the dispute was a victory for Grosseteste, but a victory won at the price of agreeing to collect, for a short time, from England for the papal needs. (ii.) We should notice also his political position, as the friend of Simon de Montfort, and tutor of his son, and as the hearty supporter of all attempts at political reform. It is possible, however, that had he lived to see the civil war his reverence for authority would have caused him to cast in his lot with the king. (iii.) But the most famous acts of his life are those of his opposition to papal provisions. From 1247 he waged a ceaseless war against the attempts of the popes to tax the English clergy on behalf of the private needs of the Roman see, and to provide for foreign ecclesiastics by conferring upon them English offices and benefices, of which, in many cases, the duties were beyond their powers or outside their intentions. In 1250 he delivered a speech before the papal court at Lyons in which he traced all the evils of the church to the corruption of the Curia and the greed and avarice of the Romans. But the needs of the papal exchequer were not satisfied by denunciations—the abuse continued to grow. "Such a point had it reached," says Matthew Paris, "that the bishop of Lincoln, being struck with amazement at it, caused his clerks carefully to reckon and estimate all the revenues of foreigners in England, and it was

discovered and found for truth, that the present pope, Innocent IV., had pauperised the whole church more than all his predecessors from the time of the primitive papacy. The revenue of the alien clerks, whom he had planted in England, and whom the Roman church had enriched, amounted to 70,000 marks. The king's revenue could not be reckoned at more than a third part of the sum." The culmination of the pope's endeavours is to be read in Grosseteste's answer to the request addressed to him to institute Frederic de Lavagna, the nephew of Innocent IV., to the next vacant prebend at Lincoln. The foreigner was a mere boy, and had no intention of even visiting England. The reply of the bishop is the most famous assertion of English feeling against the Roman see which the history of the middle ages furnishes. The *Chronicle of Lanercost* relates that Innocent immediately excommunicated Grosseteste; more probably he was restrained from so impolitic an act. In 1252 Grosseteste addressed a letter to the nobles of England, the citizens of London, and the community of the whole realm, with a last protest against the tyrannies of the time. In 1253 he died, denouncing with his last breath the whole system on which the popes endeavoured to exercise their authority over England.\*

## ADAM OF MARSH.

Adam of Marsh, or de Marisco, from whose letters extracts appear in this volume, was educated at Oxford, ordained priest, held a living near Wearmouth in the diocese of Durham, and was already famous when he took the Grey Friars' habit at Worcester during the wardenship of Agnellus (1236-1239). Throughout the life of that great prelate Grosseteste, Adam of Marsh enjoyed his friendship: under his patronage he lectured at Oxford and did much to found the great Franciscan School there. Eminent as a lecturer and in some sort the father

\* I have left this section practically unaltered, but would refer my readers to Mr. F. S. Stevenson's valuable and complete life.

of the great English schoolmen, he was also well known at court and to the great leaders of the time. He was favoured by the king except when his plain speaking offended, was a familiar correspondent and adviser of the queen, and the trusted friend and counsellor of Simon de Montfort ; all the while living as a rigid follower of the rule of S. Francis, "serving the wretched and the vile, and performing the prime and essential duties of a friar." Archbishop Boniface of Canterbury, whom he assisted by many wise counsels, with the aid of the king endeavoured to procure his appointment to the see of Ely in 1256, but the candidate elected by the monks, Hugh of Belesale, secured the pope's approbation. Adam died in 1257.

### THE CHRONICLE OF MELROSE.

The chronicle of the abbey of Melrose (founded by king David I. in 1136), which was edited by the Rev. J. Stevenson in 1835 for the Bannatyne club, Edinburgh, is of high value. Designed as a continuation of Bede the earlier portion is imperfect and unoriginal, depending in great measure upon *Simeon of Durham* and other northern historians ; but from 1140 till the end, 1270, it is original, "and the numerous and progressive variations in the handwriting show that it is very frequently, if not always, contemporaneous."

From 1263 to 1269 it contains a special *History of Simon de Montfort*, giving much interesting detail as to the battles of Lewes and Evesham, eulogising at considerable length the character of the earl, and recording several miracles attributed to him after his death. The elaborate comparison instituted between Simon the earl and Simon the apostle is probably part of a sermon for the benefit of the brethren. To the Melrose chronicler Simon is a Christian hero in the fullest sense of the

word, and the portrait drawn of him is the most vivid that exists. The chronicler, while he is distinctly a partisan, is not unfair; though the ingenuous identification of the *vox populi* with the *vox DEI* in the case of the unfortunate Londoners perhaps betrays the cloven hoof of political bias.

## THOMAS OF WYKES.

The chronicle from 1066 to 1289, evidently the work of one connected with the abbey of *Osney* and related in many ways to the chronicle of that abbey, has been ascribed to Thomas de Wykes. Mr. Luard, who edited the work for the Master of the Rolls (1869), considers that the evidence, though slight, is in favour of the supposition. One Thomas de Wykes "assumed the habit of the canons of *Osney*" in 1282, and the book contains several references to persons of the same name. A letter of Adam of Marsh commends one Thomas of Wykes to William of Nottingham, provincial of the Franciscans in England. The date of this letter must be earlier than 1249, and thus the birth of this Thomas de Wykes, who may well be the author of the chronicle, may be judged to have been at least as early as 1225. The chronicle is throughout much fuller than the *Osney* annals, and differs entirely from them between 1258 and 1278, and in a less degree from 1280 to 1284. Wykes therefore probably used the *Osney* manuscript until he came to a time for which he had himself full information, and on which he held definite opinions strongly opposed to those of the annalist. He then wrote entirely without reference to the monastic writers. In 1278, when the exciting times were over, he returned to the use of the annals, and in 1285 he probably himself became the chronicler of the abbey. The chief feature of the work is the strong support of the royal cause, prince Edward throughout being made the hero of the time.

Simon de Montfort is painted as a designing adventurer, proud, corrupt, sharing in the plunder of the London Jews, unfair to his own party, and ruling kinglike for his own profit. His sons are strongly condemned, the misery caused by Henry's seizure of the wool in 1264 being especially noted as a cause of great misery. The barons are spoken of as mere boys whom Simon impressed like wax. It is of great interest to see this other side of the picture, to know what honest men on the royal side thought of their opponents; and for this reason Wykes must be counted one of the most important aids to our understanding of the time.

### THE BURTON ANNALS.

One of the most valuable sources of information for the reigns of John and Henry III. is the book of the annals of the abbey of Burton-on-Trent. For the Barons' War the Burton annals are an indispensable authority, not merely because of the additional information on the political history which they afford, but because they embody all the important constitutional enactments of the period, most of which are preserved nowhere else. The character of the work is indeed unique: it is a collection of documents connected by short notices. The documents are private letters as well as public enactments; the narrative is generally concerned merely with the affairs of the abbey, but on occasions adds greatly to our knowledge of public events. It comes to a close in 1263.

### WILLIAM OF RISHANGER.

Little is known of the position and nothing of the doings of William of Rishanger, the sympathetic chronicler of the Barons' War. He was a monk of S. Alban's and had been so forty-one

years when he wrote a personal memorandum on the MS. of his chronicle on the feast of the Invention of the Holy Cross, 1312. He was then aged sixty-two, and was thus born in 1250, only nine years before Matthew Paris closed his history. Several chronicles and annals have been attributed to him, and offices (such as "Historiographer Royal") invented for him by hasty antiquarians. The chronicle 1259-1306, one of the series which issued from the abbey of S. Alban's, is printed as his in the edition of Mr. Riley (Rolls Series, 1865). It is doubtless designed as a continuation of Matthew Paris, and has much in common with the *Chronicle of the battles of Lewes and Evesham*, edited by Mr. Halliwell for the Camden Society in 1840, which is Rishanger's undoubted work. The latter is a work of great interest, written in enthusiastic sympathy for the barons' cause, and contains the most complete account of the war which we possess. The verses inserted in the text express the feeling of 1259 rather than that of 1264 (Stubbs's *Const. His.*, ii. 80-83).

## ROBERT OF GLOUCESTER.

The author of the famous *Metrical Chronicle of English History* from the mythical time of Brute to the accession of Edward I. was one Robert, a monk of Gloucester. Hearne, who first printed the work in 1724, believed that he was for some time resident in Oxford, being sent by the abbey of Gloucester to take charge of their young students at the University. He conjectures (and Mr. Aldis Wright, who has edited the work for the Rolls Series, 1887, will not allow that this is more than an ingenious speculation) that he resided "in an old house, where monks used to study, on the west part of Stockwell-street, in the same place where Gloucester college (afterwards styl'd Gloucester hall, and at length Worcester college, on the west



side of which the monks of Gloucester had a mill) was since founded in the year 1283, or, as others say, in 1281, by John Giffard, baron of Broomfield." The vivid description of the scuffle of 1263, that early "town-and-gown" contest, may fairly argue that the writer was an eye-witness. But it is even more evident from the passages quoted in this volume that he was well acquainted with Gloucester, if not actually resident, during the several sieges which the city underwent in the Barons' War. Fuller criticises his powers not unfairly when he says that "they speak truly who term him a rhymer, while such speak courteously who call him a poet." He wrote, as has been well said, "for simple Englishmen," and his verse has all the interest of unadorned style, while the language in which he writes is a valuable illustration of the change through which our tongue was then passing. As a historian he is of considerable importance. The earlier part of his work is based upon an ingenious use of many writers, but from 1256 at least "he writes with the knowledge of one who was assisted by contemporary tradition and even by personal experience." The passages selected for insertion in this volume afford examples of his characteristic merits—a vivid power of description and much vigour of narration. He tells his story simply, as to simple men, rarely pausing for comment or for moral. He writes as an enthusiastic admirer of the great sir Simon, and calls the battle of Evesham a "murder"; but he has evident sympathy for the gallant sir Edward, the king's son. In the version given in this volume an endeavour has been made to keep as near to the original as possible, but it has been frequently necessary to sacrifice the metre while retaining the rhymed close of the lines.

The dates of Robert's birth and death are not recorded, but he was alive during the events described in the portions of his chronicle inserted in this book.

## THE POLITICAL SONGS.

A striking feature of the period of Henry III.'s misgovernment and the Barons' War is the outburst of song on political and social evils. The volume edited by Mr. Wright for the Camden Society, 1839, contains several versifications of the popular feeling. One is in English, jeering at Richard king of the Romans, whose action was considered as desertion of the popular party, and whose ridiculous position at the battle of Lewes is the theme of many a jest in the chroniclers of the time. Of the rest some are in Provençal, some in French, some in Latin, some half English, half French. Some were songs, no doubt, for the people, sung by the wandering minstrel who found welcome everywhere. But most are the composition of the clergy, mainly, in all probability, of the Grey Friars, scholars at Oxford, and show the vague popular discontent through the medium of the political intelligence of those, sons of the people themselves but trained ecclesiastics, who did so much to make the movement for reform a success. While the great earl and the nobler barons, with a few of the bishops, led the fight against papal and royal tyranny, and the historians of great monastic houses wrote the truths of the struggle for the eyes of the future, the friars and the lesser clergy gave a voice to the popular feeling, and showed what it was that the people, clerk and lay, really needed, and how they regarded the great issues and the great men.

The *Song of Lewes*, the most important of these pieces of verse that has reached us, is a fine, vigorous rhyming Latin poem, possibly by a Franciscan clerk, giving the case of the reformers in the fullest and clearest form in which it has ever been presented. It is indeed one of the most valuable documents for the constitutional history of England during these times that has come down to us. The first accurate edition is that by Mr. C. L. Kingsford. (Clarendon Press, 1890)—a most valuable contribution to our knowledge of medieval history.

## ROYAL LETTERS OF THE REIGN OF HENRY III.

A collection of the letters of royal and eminent persons from the *Close and Patent Rolls* of the reign of Henry III. was published in the Rolls Series in 1866, edited by the late Dr. Shirley, some time Regius Professor of Ecclesiastical History at Oxford. The second volume, from which several letters are inserted in this book, extends from about 1230 to the end of the reign. It contains much important matter relating to the foreign relations of the period as well as to the constitutional struggle.

TABLE I.

2 GEOFFREY = HAWISE  
e. of Essex dau. of  
& Gloucester. William  
3 HUBERT DE earl of  
BURGH, Glouces  
e. of Kent.

EDMOND BERENGER V. = BEATRIX  
ct. of Provence dau. of  
b. 1198, d. 1245. Thomas  
ct. of  
Savoy,  
d. 1266.

LOUIS VIII. = BLANCHE of Castile  
K. of France | gd. d. of Henry II.

JOAN = ALEX. ISABEL =  
ANDER II. dau.  
K. of  
Scot-  
land

ALEXANDER III.  
K. of Scotland  
= MARGARET  
d. of Henry III.

MARGARET = LOUIS IX. CHARLES = BEATRIX  
dau.) King of of Anjou. (4th dau.)  
France.

R  
K

MARGARET = ALEX-  
ANDER  
III.  
King of  
Scotland.

BEATRIX = JOHN of  
DREUX son  
of John I.  
of Brittany.

BLANCHE = EDMUND  
dau. of Robert I. titular king  
ct. of Artois. of Sicily,  
b. of Louis IX. Earl of  
Lancaster.

THOMAS e. of  
Lancaster.





TABLE II. THE HOUSE OF MONTFORT, EARLS OF LEICESTER.

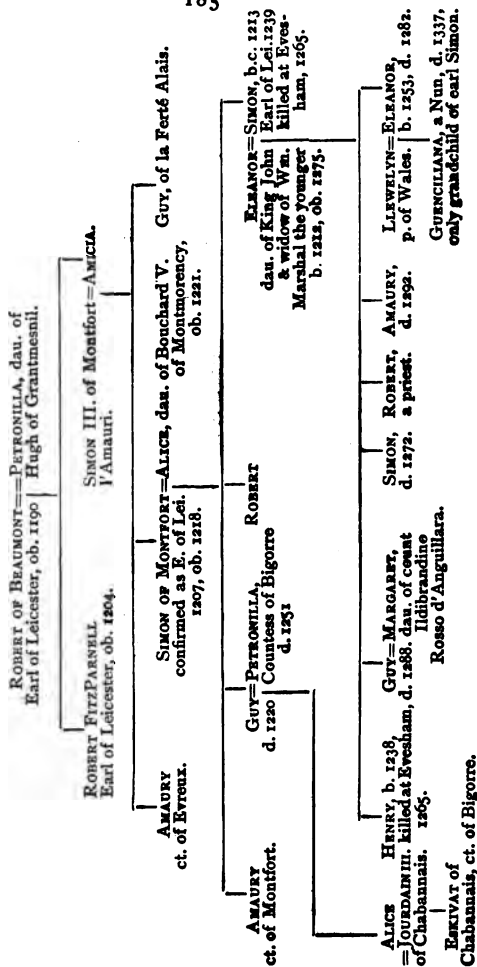


TABLE III.

## THE ADMINISTRATION OF 1258-9.

From Stubbs's *Const. Hist.*, ii. 82.*The 24 chosen to reform the state.*

1. Abp. Canterbury. (?)  
 2. Bp. London.  
 3. Bp. Winton elect  
 4. Henry of Almaine.  
 5. John e. Warrene.  
 6. Guy of Lusignan.  
 7. Wm. of Valence.  
 8. John e. Warwick.  
 9. John Mansel.  
 10. John Darlington.  
 11. Abbat of Westminster.  
 12. Henry Wengham.

*The king's party.*

Abp. Canterbury.

Ct. of Aumâle.

Peter of Savoy.

James of Aldithley.

John e. of Warwick.

John Mansel.

*The council of 15.*Bp. London.  
Earl of Winton.

John de Verdun.

Roger de Montalt.  
Thomas Gresley.

Giles d'Argentine.

1. Bp. Worcester.  
 2. Simon e. Leicester.  
 3. Rich. e. Gloucester  
 4. Henry e. Hereford.  
 5. Roger e. Norfolk.  
 6. Roger Mortimer.  
 7. John Fitz Geoffrey  
 8. Rich. de Gray.  
 9. Peter de Montfort.  
 10. Hugh le Bigod.  
 11. Wm. Bardulf.  
 12. Hugh le Despenser.

*The baronial party.*Bp. Worcester.  
Simon e. Leicester.  
Richard e. Gloucester.

Henry e. Hereford.

Roger e. Norfolk.

Roger Mortimer.

John Fitz Geoffrey.

Rich. de Gray.

Peter de Montfort.

Bp. of Worcester.  
Simon e. Leicester.  
Richard e. Gloucester.

Henry e. Hereford.

Roger e. Norfolk.

Roger Mortimer.

John Fitz Geoffrey.

John de Gray.

Peter de Montfort.

Roger de Sumeny.

Philip Basset.

Fredk. de Keraton.

John Balliol.

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